



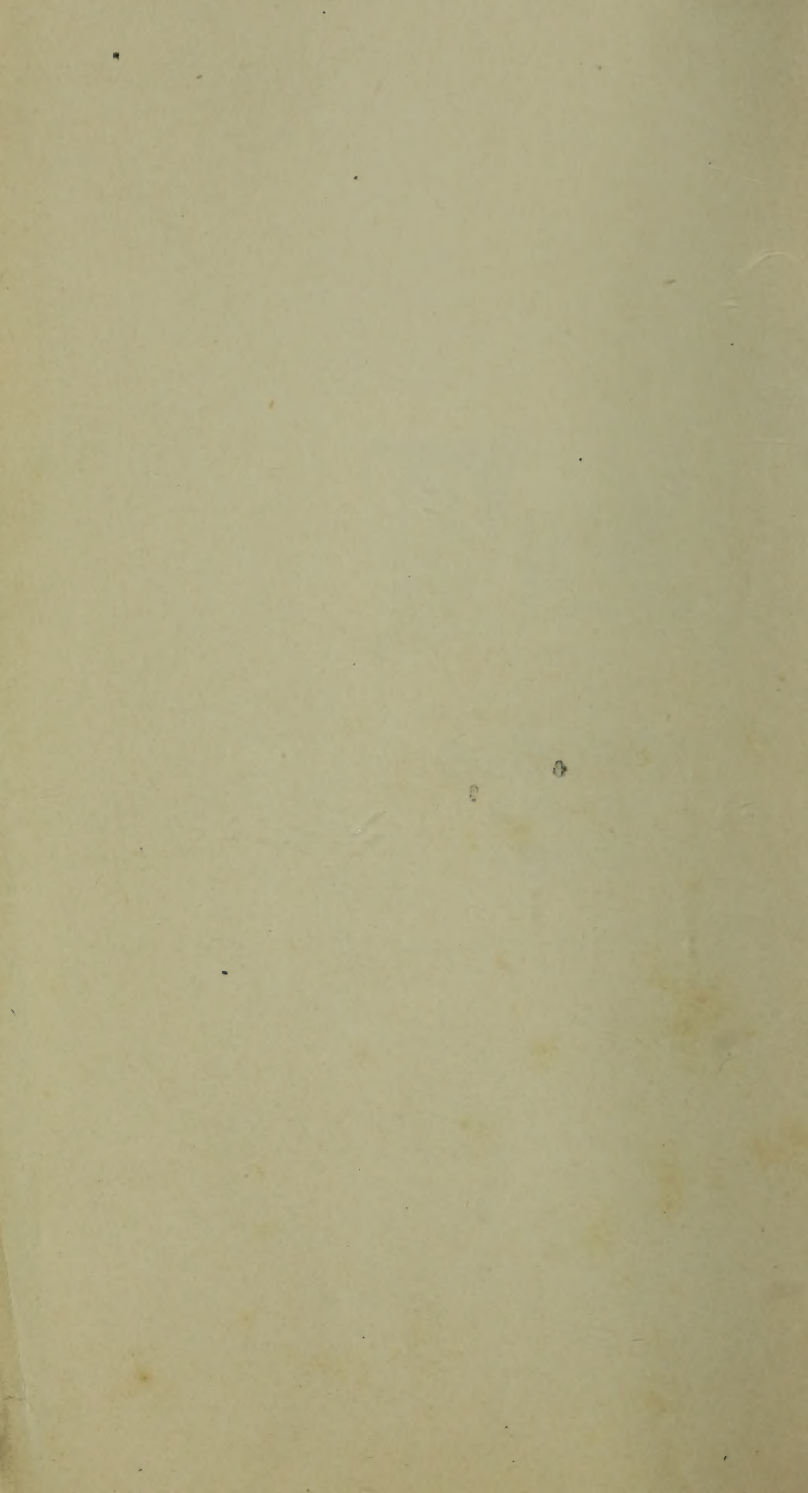
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JOURNAL

OF THE

REGULAR SESSION

OF THE

SENATE

OF THE

COMMONWEALTH OF KENTUCKY.

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON MONDAY,
THE THIRTIETH DAY OF DECEMBER, IN THE YEAR
OF OUR LORD 1889, AND OF THE COMMON-
WEALTH THE NINETY-EIGHTH.

PROPERTY OF THE STATE OF KENTUCKY.

FRANKFORT, KY.:
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JOURNAL

OF THE

SENATE OF KENTUCKY.

MONDAY, DECEMBER 30, 1889.

Hon. James W. Bryan, Lieutenant-Governor, presiding.

At a General Assembly begun and held for the State of Kentucky, at the Capitol, in the city of Frankfort, on the thirtieth day of December, one thousand eight hundred and eighty-nine, the following Senators appeared and took their seats, viz:

From the First Senatorial District, John R. Kemp.

From the Second Senatorial District, T. L. Glenn.

From the Third Senatorial District, John K. Hendrick.

From the Fourth Senatorial District, F. W. Darby.

From the Fifth Senatorial District, W. F. Berry.

From the Sixth Senatorial District, J. H. Lunsford.

From the Seventh Senatorial District, G. W. Gates.

From the Eighth Senatorial District, J. W. Martin.

From the Ninth Senatorial District, G. Terry.

From the Tenth Senatorial District, J. S. Wortham.

From the Eleventh Senatorial District, D. W. Wright.

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From the Twelfth Senatorial District, D. L. May.
From the Thirteenth Senatorial District, D. H. Smith.
From the Fourteenth Senatorial District, W. H. Anderson.
From the Fifteenth Senatorial District, Chas. Patteson.
From the Sixteenth Senatorial District, J. H. Shearer.
From the Seventeenth Senatorial District, J. J. Paul.
From the Eighteenth Senatorial District, R. J. Breckinridge.
From the Nineteenth Senatorial District, A. L. Peterman.
From the Twentieth Senatorial District, William Lindsay.
From the Twenty-first Senatorial District, J. W. McCain.
From the Twenty-second Senatorial District, Ben. F. Bradley.
From the Twenty-third Senatorial District, Reuben Conner.
From the Twenty-fourth Senatorial District, Wm. Goebel.
From the Twenty-fifth Senatorial District, John P. Newman.
From the Twenty-sixth Senatorial District, W. W. Dickerson.
From the Twenty-seventh Senatorial District, James H.

Mulligan.

From the Twenty-eighth Senatorial District, B. F. Cockrell.
From the Twenth-ninth Senatorial District, Phil. Roberts.
From the Thirtieth Senatorial District, B. F. Reynolds.
From the Thirty-first Senatorial District, Chas. B. Poyntz.
From the Thirty-second Senatorial District, J. B. Hannah.
From the Thirty-third Senatorial District, A. H. Stewart.
From the Thirty-fourth Senatorial District, J. M. Pieratt.
From the Thirty-fifth Senatorial District, J. P. Huff.
From the Thirty-sixth Senatorial District, Sam E. English.

The said G. W. Gates, J. W. Martin, J. S. Wortham, D. L. May, D. H. Smith, W. H. Anderson, Chas. Patteson, J. H. Shearer, R. J. Breckinridge, William Lindsay, J. W. McCain, Reuben Conner, John P. Newman, James H. Mulligan, B. F. Cockrell, Phil. Roberts, Chas. B. Poyntz, J. B. Hannah, Ben. F. Bradley, and Wm. Goebel severally produced certificates of their election, and took the several oaths required by the Constitution of the United States and the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Chief Clerk of the Senate were in order.

Whereupon Mr. Reynolds nominated Mr. Harry Glenn, of Nicholas county, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz :

Those who voted for Mr. Glenn, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben. F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	Phil. Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
F. W. Darby,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam. E. Engilsh,	James H. Mulligan,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—35.
William Goebel,	Chas. Patteson,	

Whereupon the Speaker declared Mr. Glenn duly elected Clerk of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Assistant Clerk of the Senate were in order.

Whereupon Mr. Smith nominated Mr. Wm. Cromwell, of Franklin county, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz :

Those who voted for Mr. Cromwell, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	Phil. Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
F. W. Darby,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	James H. Mulligan,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—35.
William Goebel,	Chas. Patteson,	

Whereupon the Speaker declared Mr. Cromwell duly elected Assistant Clerk of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Sergeant-at-Arms of the Senate were in order.

Whereupon Mr. Smith nominated Mr. G. W. Castle, of Lawrence county, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz :

Those who voted for Mr. Castle, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	Phil. Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
F. W. Darby,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	James H. Mulligan,	G. Terry,
G. W. Gates.	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—35.
William Goebel,	Chas. Patteson,	

Whereupon the Speaker declared Mr. Castle duly elected Sergeant-at-Arms of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker then announced that nominations for the office of Door-keeper of the Senate were in order.

Whereupon Mr. Dickerson nominated Mr. Joseph B. Read, of the city of Louisville, as a suitable person to fill said office.

There being no other nomination, the vote was taken thereon, which resulted as follows, viz :

Those who voted for Mr. Read, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,

R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	Phil. Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
F. W. Darby,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	James H. Mulligan,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—35.
William Goebel,	Chas. Patteson,	

Whereupon the Speaker declared Mr. Read duly elected as Door-keeper of the Senate for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

Mr. Mulligan moved the following resolution, viz :

Resolved, That the seats of Senators be drawn by lot, as follows : That the names of the Senators be written each upon a separate piece of paper, and placed in one hat, and the numbers of seats each on other separate slips, and placed in another hat, and that the Clerk shall draw a name from among the names of Senators, and at the same time the Sergeant-at-Arms shall draw a number from the hat containing the numbers, and each Senator shall be entitled to that seat, the number of which is drawn simultaneously with his name, in the manner before provided.

Which was twice read and adopted.

In pursuance of said resolution, the Clerk and Sergeant-at-Arms proceeded to draw the names of the Senators and numbers of seats allotted to each, with the following result :

J. W. Martin.....	No. 23	B. F. Reynolds	No. 27
J. W. McCain	" 29	J. B. Hannah	" 36
J. P. Huff	" 8	Chas. B. Poyntz	" 25
J. J. Paul	" 22	Ben F. Bradley	" 38
Phil. Roberts	" 26	B. F. Cockrell	" 13
W. W. Dickerson	" 12	J. M. Pieratt	" 1
D. W. Wright	" 10	John K. Hendrick	" 16
A. H. Stewart	" 9	G. W. Gates	" 20
G. Terry	" 24	J. H. Shearer	" 21
James H. Mulligan	" 35	J. H. Lunsford	" 28
Wm. Goebel	" 18	John R. Kemp	" 33

A. L. Peterman	No. 37	J. S. Wortham	No. 5
William Lindsay	" 15	F. W. Darby	" 31
W. H. Anderson	" 6	D. L. May	" 34
Chas. Patteson	" 14	T. L. Glenn	" 30
Sam E. English	" 7	John P. Newman	" 11
John McCann	" 2	R. G. Hays	" 3
D. H. Smith	" 19	W. F. Berry	" 4
R. J. Breckinridge	" 32	Reuben Conner	" 17

Mr. Dickerson moved the following resolution, viz :

Resolved, That the rules of the Senate in force at the last session shall govern the deliberations until further ordered by the Senate.

Which was twice read and adopted.

On motion of Mr. Dickerson :

Ordered, That a committee of three Senators be appointed to report to the House of Representatives that the Senate is now organized and ready to proceed to business.

Whereupon the Speaker appointed Messrs. Dickerson, Anderson and Paul said committee.

After a short time, Mr. Dickerson, from said committee, reported that they had performed the duty assigned them.

On motion of Mr. English, leave of absence, indefinitely was granted Messrs. McCann and Hays.

Mr. Darby moved the following resolution, viz :

Resolved, That the clergy resident in the city of Frankfort be, and they are hereby, requested to open the sessions of the Senate each day with prayer.

Which was twice read and adopted.

Mr. Mulligan moved the following resolution, viz :

Resolved, That the number of Pages to attend the Senate be fixed at five; one of whom shall be named by the presiding officer of the Senate, and four by the Sergeant-at-Arms.

And the question being taken on the adoption thereof, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Conner, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
G. W. Gates,	D. L. May,	D. H. Smith,
T. L. Glenn,	James H. Mulligan,	G. Terry,
William Goebel,	J. W. McCain,	D. W. Wright—21.

Those who voted in the negative, were—

B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	J. M. Pieratt,	A. H. Stewart,
J. P. Huff,	Phil. Roberts,	J. S. Wortham—10.
J. H. Lunsford,		

Mr. Smith moved the following resolution, viz:

Resolved, That the Sergeant-at-Arms be, and is hereby, authorized to supply the Speaker of the Senate and each Senator and officers of the Senate, with two daily papers, each Senator to make selection of such papers as he may desire.

Which was twice read and adopted.

A message was received from the House of Representatives by Messrs. Welch, Wallace, Kinkead, Settle and Cox, informing the Senate that they had met and organized, and were now ready to proceed to business.

On motion of Mr. Berry:

Ordered, That a committee of three Senators be appointed by the Speaker, to act in conjunction with a similar committee on the part of the House of Representatives, to inform his Excellency, the Governor of Kentucky, that the General Assembly is now organized and ready to receive any communication he may desire to submit.

Whereupon the Speaker appointed Messrs. Berry, Breckinridge and Stewart said committee.

Mr. Berry, from the joint committee appointed to wait upon the Governor, reported they had performed the duty assigned them, and were informed by the Governor that in a short time he would lay before the General Assembly a message in writing.

In a short time a message in writing was received from the Governor by Hon. Willis L. Ringo, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

Gentlemen of the Senate and House of Representatives:

In obedience to the requirements of the Constitution, you have met to consider and to act upon measures important to the welfare and happiness of the people. The Executive of the State, who is made by the Constitution a factor in legislation, in so far as his assent is necessary, under proper limitations, to the enactment of laws, is further required to "give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem expedient."

We meet as the agents of those who sent us, armed with the powers conferred by the organic law, holding in trust for the benefit of the whole people the authority which we have received, and forbidden by the restrictions which the people have wisely thrown around our actions to sanction any legislation which is in any way detrimental to the general interests.

It is in this spirit that I ask your consideration of such suggestions as may be offered in this communication.

AUDITOR'S REPORT.

The report of the Auditor of Public Accounts gives a detailed statement of all the expenditures of the State government during the last two years, and shows its present financial condition.

The total receipts, including balance at the beginning of the year, for the fiscal year ending June 30, 1889, amounted to \$4,393,793.36. The total expenditures during the same period were \$4,320,867.12, leaving a balance in the Treasury June 30, 1889, \$72,926.24.

As nearly fifty-eight per cent. of the entire revenue of the State is

devoted by law to educational and other specific purposes, only about forty-two per cent. of the revenue can be applied to the payment of all the general expenses of the State, including the maintenance of the courts, of all the eleemosynary institutions, the pay and salaries of all officials, of jurors, the expenses of the General Assembly, and the construction of all new public buildings. In other words, notwithstanding the constant demands on the Treasury, due to the increasing population of the State, a careful administration of the revenue has resulted in defraying all the general expenses of the State government on a tax of twenty cents on every one hundred dollars of assessed valuations, which is a rate of expenditure no greater than when the State contained little more than half the present population.

The Auditor estimates that there will be a surplus in the general expenditure fund on June 30, 1890, of \$171,844.78, and on June 30, 1891, of \$532,844.78.

The defalcation of the late Treasurer of the State, reported to your predecessors, amounted to \$247,128.50. Proceedings by the Attorney-General, resulting in realizing on the funds and property of the defaulting Treasurer and adjudications by the Special Commission constituted by the Legislature, have resulted in reducing this amount by the sum of \$73,033.88, leaving a balance yet due of \$174,094.62. The Commission is still proceeding in the adjustment of the outstanding accounts, and it is estimated that the indebtedness will be still further reduced, leaving probably not more than \$150,000 to be collected from the bondsmen of the Treasurer. The suit against them is pending in the Court of Appeals.

Your attention is invited to the statement of the Auditor in regard to the rapidly increasing cost of juries. In 1886 they cost the State \$140,215.95; in 1887, \$159,561.49; in 1888, \$202,026.26; and in 1889, \$361,244.59, being an increase of over 150 per cent. in four years, and of 73 per cent. during the last fiscal year.

This extraordinary increase in expenditures can arise only from the want of attention on the part of some of the circuit judges and Commonwealth's attorneys to the interests of the public. An examination of the Auditor's report will show this to be necessarily so.

Referring to the cost of witnesses alone in criminal prosecutions, it will be seen that in the county of Anderson there was paid to witnesses the sum of only \$16.00; in the county of Bell, \$1,484.88; in the

populous county of Boone, only \$31.36; in the county of Breathitt, \$2,314.88; in the county of Caldwell, only \$9.00; in the county of Clay, \$1,673.44; in the county of Kenton, including the large city of Covington, \$339.60; and in the county of Knott, \$1,205.44; in the county of Campbell, including the city of Newport, \$85.92, and in the county of Knox, \$3,664.58.

These startling differences show that where the officers of the court pay due regard to the interests of the Commonwealth such extravagant expenses are entirely unnecessary to attain the ends of justice. In considering the large sums paid on account of witnesses in some of these counties, the conclusion might be reached that a large portion of the adult population are regularly mustered into the service of the State as witnesses to attend during the term of the court. In fact, claims have been made on the Auditor for such continuous service when the attendance of the witnesses seemed entirely needless. These expenditures might be tolerated if followed by any useful result; but, unfortunately, the expenses for criminal prosecutions seem to bear an inverse ratio to the amount of justice dispensed.

The only means of putting an end to such abuses, seems to be the enactment of a law forbidding payment to witnesses and jurors except for the time they are actually before the court, and giving authority to the Auditor to reject all unreasonable claims. Heavy penalties should also attach to officials who misstate the necessity of the attendance of witnesses, or who cause them to be summoned without probable necessity.

The expenditure on account of idiots is becoming an increasing burden on the State, costing during the last year \$100,021.88, having increased more than 500 per cent. during the last twenty years.

The recommendation in my message to your predecessors in this regard, is renewed—that they be maintained by the counties where they reside. In this way, only, can imposition be avoided.

I desire to emphasize the recommendation of the Auditor for additional legislation rendered necessary by decisions of the Court of Appeals in the Bowler and other cases. Under these decisions it appears that there are not less than \$100,000 due by corporations to the State for taxes, which can not be collected until legislation shall provide the means of collecting it.

Other recommendations made by the Auditor are also commended to your favorable consideration.

INSURANCE COMMISSIONER.

The Insurance Bureau, as at present organized, is an adjunct to the Auditor's department, through whose chief the report of the Commissioner is transmitted.

This report will give you a succinct and intelligent view of the operations of the Bureau, and advise you of the protection furnished to the public by the careful supervision exercised by its chief.

Your attention is invited to the recommendations embodied in his report.

TREASURER'S REPORT.

The report of the Treasurer of the State will show the financial transactions of that department. A separate report is made of that portion of the term embraced by the incumbency of the late defaulting Treasurer.

GEOLOGICAL SURVEY.

The forthcoming report of the Director of the Geological Survey will show that great progress has been made in extending a knowledge of the mineral resources of the State. The value of extensive beds of coking coal, foreshadowed in former reports, has been demonstrated within the last few weeks by actual test in the blast furnace. These beds extend through a number of counties from Pike to Bell. Iron ores of great richness, amongst them the Oriskany, so well adapted to the manufacture of steel, have been found in the same localities convenient to the coal.

Extended observations in Western Kentucky have made known additional beds of iron and coal, and other valuable minerals, and revealed an extensive district stored with oil and natural gas.

A complete and valuable map of the State has also been completed and published by the Geological Survey.

A liberal appropriation for the Survey is recommended, as the most economical way of attracting capital for the rapid development of the unsurpassed natural resources of the State.

INSPECTOR OF MINES.

Your consideration is asked of the recommendations made by the Inspector of Mines, in the accompanying report, in respect to slight amendments in the existing laws, which will enable him more effectually to protect the lives and health of those engaged in mining

operations. His report gives all needed information in regard to the varieties, quality and output of coals in the State, and shows a progressive development of that large and important interest.

AGRICULTURE, HORTICULTURE AND STATISTICS.

The report of the Commissioner of this department embodies a variety of interesting and useful information in relation to the agricultural, manufacturing and mining interests of the State. Too much praise can not be awarded to the Commissioner for his indefatigable industry in collecting, with the limited means at his disposal, such a store of facts bearing upon nearly every interest of the people.

The table which he presents of the value of property exempt from taxation will be of special interest to the General Assembly, since at every session, attempts are made to increase the list of exempted property. As the effect of such legislation is to impose additional burdens on property which has to bear all the expenses of government, both general and local, every effort should be made by those who represent the interests of the people, not only to prevent the augmentation, but to reduce the amount of property exempted from taxation by existing law.

The value of every class of property now exempt, is ascertained by the Commissioner to amount, approximately to \$227,465,388.25, which represents, for the State government alone, at the present rate of taxation, an annual tax income of \$1,080,460.59. But as existing laws prevent the collection of any tax on this property, an additional tax must be levied upon other property to make up the deficit.

It is true that the value of State and county property, which should not be taxed, is included in the estimate of the Commissioner, but after deducting all values for property having an equitable claim for exemption, it may be safely assumed that a tax of not less than a half million dollars is annually imposed upon that class of citizens least able to bear it, in consequence of improper exemptions granted to more favored classes. Your attention is earnestly invited to a consideration of this subject, with a view of correcting the wrongs now imposed upon the community at large for the benefit of the few.

REGISTER OF THE LAND OFFICE.

The report of the Register of the Land Office will show the improvements in the system of registration and ready reference in that department, which has become nearly self-sustaining.

In this connection it is proper to state that the present system of surveys, and of entering lands claimed to be vacant, probably leads to many complications in regard to titles of land.

In a large portion of the State there are so many conflicting titles that the development of the country is seriously affected.

Legislation, which will be equitable in its character, is essential to the settlement of these differences, and necessary for the proper development of the country, and is earnestly recommended for your consideration.

COMMON SCHOOLS.

You are referred to the report of the Superintendent of Public Instruction for the condition of the Common Schools of the State. It shows that the per capita for educational purposes for the fiscal years ending June 30, 1888, 1889 and 1890, amounted respectively to one dollar and ninety cents, two dollars and five cents, and two dollars and fifteen cents, and that the aggregate expenditures from the Public Treasury for those purposes during the years mentioned will be \$1,248,203.10 for 1888, \$1,363,209.10 for 1889, and \$1,455,132.90 for the present fiscal year.

During the present year the per capita being \$2.15, the sum of \$1,455,132.90 is apportioned as follows:

To 565,451 white children, the sum of \$1,215,719.65; to 111,355 colored children, the sum of \$239,413.25.

During the fiscal year 1887, of the sum of \$165,971.84 expended on schools for colored children, only \$12,545.65 were contributed by colored tax-payers. A proportionate contribution has been paid in subsequent years, thus illustrating, in a remarkable manner, the interest taken by the white population in improving the condition of the colored race by so heavily taxing themselves.

It will be seen that more than half the revenue of the State is thus devoted to purposes of public education, exceeding the percentage allotted in almost every other State of the Union for such purposes.

In addition to the sum thus paid by the State Government, special local taxes are levied in some counties to supplement the State aid.

In this connection your attention is invited to the suggestions of the Superintendent, who, quoting from high educational authority, says, "local taxation is the life of the whole school system." Entire dependence upon the State enervates local effort. It is suggested that every county be required to supplement the State aid by a county levy, which shall amount to a fixed percentage of the contribution made by the State. A double benefit would result from such action, an increase in the amount of the school fund, and an additional interest in the local schools by the people of the several counties. Other suggestions of the Superintendent are commended to your attention.

AGRICULTURAL AND MECHANICAL COLLEGE.

The report of the President and Board of Trustees of the Agricultural and Mechanical College will show the great development of that institution. Its great advantages to the people of the State can not well be exaggerated. Offering opportunities, as it does, for a useful education to a large class of our people who have not the means of procuring so good an education elsewhere, it merits your fostering care. Eighty counties of the State are now represented in the College, and every legislative district is entitled to send a pupil free of tuition.

The Normal Department of the College offers an opportunity of educating the best teachers for our common schools.

As rapidly as the means at the disposal of the Trustees will permit, the higher branches of science are being taught; the ultimate design being to qualify our young men for practical work in agriculture and mechanical science, and enable them to till the ground intelligently, to construct roads, to open mines, and to superintend the erection of buildings intended for manufacturing establishments. To accomplish these purposes additional buildings are required to accommodate the increasing number of pupils, and to place the College abreast with institutions of similar character. The recommendations of the Board of Trustees are fully indorsed.

LIBRARY.

The report of the Librarian shows that much labor and intelligent care have been bestowed in rearranging and preserving the books, and in the care of the public property.

The Library contains nearly eighty thousand volumes, scattered through about twenty rooms, having no connection with each other, situated in three different buildings, and constantly exposed to danger of destruction by fire. Many of the books have, heretofore, been stored in basement rooms, but have been rendered accessible by the present arrangement and classification.

It is essential that other rooms should be provided, both for convenience of arrangement and for the security of these valuable books, which could not be replaced in case of destruction.

A special law library should also be formed separate from the general library, and located in a consultation room, which should be provided for the Court of Appeals.

Many improvements have been made, adding to the sanitary condition of the Capitol and grounds, and to the convenience of the General Assembly.

I desire to commend the Librarian for his diligent and intelligent attention to the varied and extensive duties which devolve upon his office.

HISTORICAL SOCIETY.

In this connection it is my duty to report that, as required by section 7 of the act establishing the Kentucky Historical Society, approved February 19th, 1880, the Executive took possession of the property of that Association, which had ceased to hold its meetings, and placed it in charge of the Librarian. The collection remains in the rooms assigned for that purpose by the act, and has since been increased by the addition of the "Collins" Library of 2,200 volumes, containing valuable information connected with the history of the State. The importance of continuing a collection so essential to our history can not be too highly estimated. Such legislation is recommended as will lead to the retention of this Society as a department of the Library, and authority to appoint a custodian peculiarly qualified for the duties of a historiographer.

ELEEMOSYNARY INSTITUTIONS.

You are referred to the reports of the different boards and superintendents of the various charitable institutions of the State, and to the reports of the State Inspector and Examiner, for the condition of these institutions. They have been administered with every econ-

omy consistent with the entire comfort and proper treatment of the unfortunate inmates.

Changes have been made in the superintendency of two of the Lunatic Asylums; in the Western Asylum in consequence of the declination of the former superintendent, and in the Central Asylum in consequence of the faulty administration of the former incumbent.

Under the administration of the present superintendent of the Central Asylum, greater comforts and better care have been given to the inmates, the grave faults of administration on the part of his predecessor have been corrected, an accumulated indebtedness of about five thousand dollars, which had been incurred by his predecessor, has been discharged, and, in addition thereto, a sum of about ten thousand dollars of the appropriation for the year remained unexpended, and was covered into the Treasury of the State.

The administration of this, and of the other Asylums of the State, has demonstrated the correctness of the view which was expressed to your predecessors, that under proper care and supervision the present *per capita* allowance for the inmates of these institutions is larger than is necessary for their proper care and comfort. It is, therefore, recommended that this *per capita* allowance be reduced to one hundred and forty dollars per annum.

INSTITUTION FOR FEEBLE-MINDED CHILDREN.

The report of the Trustees will make known to you the disaster which befell this institution, in the destruction of the buildings by fire in April of the present year. Fortunately the precaution had been taken to carry a good line of insurance on the buildings, by means of which, in connection with the material saved from destruction, the Trustees have been enabled to restore the buildings. An appropriation will be needed to provide furniture for the completed buildings, and is recommended for your favorable action.

BRANCH PENITENTIARY.

An act of the last General Assembly devolved upon the Governor the duty of so modifying the original plans as to permit the construction of the Branch Penitentiary with the appropriation authorized by the act. It is believed that this will be accomplished without the necessity of further appropriations. The only additional

aid that may be asked will be for the construction of a branch railway, less than a mile in length, to connect the Penitentiary with existing lines of railway. The cell-rooms are practically completed, and the shops and other buildings will be finished in a few months.

The report of the Superintendent will show, in detail, the progress of the work.

In connection with the construction, the Executive has effected a lease of the Branch Penitentiary for a term of years, as authorized by the act of the General Assembly.

COMMISSIONERS OF SINKING FUND.

The report of the Commissioners of the Sinking Fund is herewith submitted for your information. It shows the improvements which have been made in the Penitentiary buildings at Frankfort, the completion of the new shops in place of those destroyed by fire, the introduction of fire-plugs to lessen the dangers from fire, and the general sanitary improvements which have resulted from the necessary changes.

A small appropriation is asked to enable the Commissioners to make suitable changes in existing buildings for the better accommodation of the convicts. An inspection of these buildings by your committees will show the necessity of such a change. The cells heretofore unoccupied are being arranged for occupancy. When completed there will be 740 cells in the Frankfort Penitentiary, and when the Branch Penitentiary shall have been completed there will be 416 additional cells, making total prison accommodations for 1,158 prisoners. It is estimated by the Warden that there will be 1,300 prisoners by March 1, 1890, being 142 more than can be accommodated in the cells. It results that some additional provision of law must be made for the proper care of this excess, either by the construction of additional cells or by some other method.

In view of the difficulty of procuring labor for the construction of railroads now penetrating the mountain section of the State, where this labor has been used with great benefit to the public, it is recommended that authority be given to the Commissioners of the Sinking Fund to continue the lease of this labor on public works so necessary for the development of the industries of the State.

You are referred to the report of the Commissioners for information of the difficulties encountered in effecting the lease of the prison

labor. Though the letting was extensively advertised, and bids invited from every part of the country, but one bid was made for the labor of the Frankfort Penitentiary, and the lease effected, which barely relieves the State of the expenses, is much better than the bid that was made.

The working of the parole law has been doubly beneficial. It improves the discipline of the prison by holding out to prisoners hopes of the enjoyment of its benefits, and it releases from the prison, during good behavior, those who have shown a disposition to reform.

Fifty prisoners have been admitted to the benefits of this law, against only one of whom have complaints of misconduct been lodged.

Occasionally there are sent to the Penitentiary children of tender age, who ought not to be incarcerated with habitual offenders.

A law should be enacted authorizing the Commissioners of the Sinking Fund to place such juvenile offenders in some House of Reform at the cost of the county from which they have been sent. In one case, a child, about ten years old, was sentenced to imprisonment for life. To have pardoned him without conditions would have been to have returned him to the same influences which led to the commission of the crime of which he was convicted. Fortunately, some good people were willing to take upon themselves the care of this child, and when the proper authority as his guardian was obtained, the Executive exercised, in this case, his prerogative of pardon. But the conduct of such cases should be regulated, as suggested, by proper enactment.

STATE BOARD OF HEALTH.

The biennial report of the State Board of Health will show that it has exerted a beneficial influence in preventing the spread of epidemics and in improving the sanitary condition of the people. The recommendation of the Board that a contingent fund be provided to be used in their discretion, subject to the approval of the Governor, in the emergency of a threatened epidemic, as of yellow fever or cholera, is commended for your favorable consideration.

MINERAL RIGHTS.

The demand and prospect of an early development of the mineral resources of the State have led to the purchase, from the proprietors,

of large bodies of land, of the right to the various minerals which are found in the earth. While these minerals are a part of the realty, and liable to be assessed to the owner of the soil, it is believed that the proprietor, having parted with his right to the minerals, no longer considers them as his property, and returns the value only of the surface of his lands; while the owner of the mining rights, not being the proprietor of the soil, neglects to make any return of his property at all. As a result of this divided ownership, the revenue is defrauded, and an undue taxation levied upon other property to make up the deficit.

Additional legislation seems necessary to assure a more equitable assessment of these mineral lands.

BANK INSPECTOR.

I renew the recommendation made to your predecessors for authority to appoint an Inspector of State Banks.

The power which authorized the formation of these institutions, giving them the right to receive on deposit the money of the people and granting them extraordinary powers as corporations, should require the banks to publish periodical statements of their condition, and provide a system of examination and inspection, which should give reasonable assurance to depositors that the banks observe the terms of their charters, and are managed in a conservative and business-like manner. This can be done by authorizing the appointment of a Bank Inspector, who, under the authority of the Governor or Auditor, shall be required to examine periodically into the condition of every such institution. The stronger banks generally desire such an inspection, and it will not be opposed, probably, by any institution which is in a safe condition.

The Bank Inspector should not be a charge on the Treasury, but his salary should be paid by an equitable assessment on the banks which undergo inspection.

RIVER IMPROVEMENTS.

By authority of an act of the last General Assembly, the State Examiner and Inspector was instructed to investigate the condition of the public improvements on Green and Barren rivers, and also the sufficiency of the bond which had been given by the Green and Barren River Navigation Company, with a view of requiring a renewal of their bond. But before this matter could be completed, the com

pany had effected a sale of their interest to the United States Government, which took immediate possession of the works, rendering further proceedings under this act impracticable, as the State in ceding the jurisdiction over these rivers had donated the improvements to the government of the United States.

Prior to the consummation of their sale, the report of the Examiner, which showed the works to be in a dilapidated condition, and a copy of the act which created the lease to the company, was transmitted to the Secretary of War for his information.

Since these improvements have been transferred to the U. S. Government, the report of the Chief of Engineers of the U. S. Army shows that prior to the close of the fiscal year ending June 30, 1889, the sum of \$46,557.77 was expended towards restoring navigation, which had been interrupted by the decay of the works. Work is still progressing, with a view of completely restoring the improvements.

The same report shows that the sum of \$891,379.19 was expended on the improvements of the Kentucky river prior to June 30, 1888, restoring the navigation through five locks and dams, and that the further sum of \$229,207.57 was expended during the past year in procuring materials for the construction of two other dams on the same stream.

Obstructions have also been removed from the upper portion of the Licking river and from the Big Sandy at a cost, during the last fiscal year, of \$12,553.87. Work on Tradewater river was suspended by high water during the last year, the sum of \$10,128.46 having been previously expended in the improvement of that stream. Improvements have also been made by the General Government on the Cumberland river, in Kentucky, at considerable cost. The extensive improvements in other States on the Tennessee river and its tributaries have also resulted beneficially to our commerce, as that large affluent of the Ohio passes through the western part of the State.

The United States having accepted the grant from the State of Kentucky of those large streams within our borders for the purpose of improving them, it is our right to claim that the navigation be improved with all reasonable dispatch.

ROAD LAW.

Public and private convenience, the demands of civilization, and the needs of commercial intercourse, alike demand a revision of the road laws of the State.

Equity would seem to demand that all who are benefitted by public roads should contribute to their support in proportion to the benefits derived from their use. This would imply that while the pedestrian should contribute of his labor to improve the road over which he can travel with less fatigue, the landed proprietor, the merchant, and the manufacturer, who are more largely benefitted, should contribute not only of their labor, but of their wealth, for the construction of highways which largely enhance the values in which they are interested.

Each county should have a superintendent of roads, in addition to the ordinary overseers; the road tax collected should be disbursed under the orders of the proper county tribunals, and prisoners serving sentences of imprisonment in the county jails should be required to work on the public highways.

It is hoped that a well-digested law on this subject will be enacted by the present General Assembly.

FOREIGN BUILDING AND KINDRED ASSOCIATIONS.

It will be remembered that prior to the enactment of the present insurance legislation, the people of the State were constantly defrauded through the instrumentality of foreign insurance companies having fictitious capital and being under irresponsible management.

It is believed that the laboring classes of the people are now being extensively defrauded by building and other associations, organized in distant States, whose resources are unknown and whose management is irresponsible. Every such organization should be placed under the supervision of the Insurance Bureau, should be required to file a sworn statement of its condition and assets, and to pay a tax to the State as a preliminary to obtaining permission to operate in the State, and should be subject to the same local rates of taxation as like associations organized under the laws of this State. As at present operated they draw largely upon the resources of the laboring classes in this State without making any corresponding return.

LOTTERIES.

Your attention is invited to the legislation on the subject of the Frankfort Lottery. It is believed that the scheme thereby authorized has exhausted its privileges and has no longer any right to exist. It

seems to be conducted now in the interests of a few persons, who derive from it large individual profits at the cost, chiefly, of the poorer classes of the community, who are debauched and, in many cases, led into crime by being tempted to gamble in its policies.

When the General Assembly, by its enactments, denounces crime under severe penalties, it certainly seems opposed to public policy to legalize a corporation which is a constant incentive to crime. It is earnestly recommended that the privileges improperly exercised by this lottery scheme be withdrawn by appropriate legislation.

AUSTRALIAN BALLOT.

The mode of voting known as the Australian Ballot system, which was applied by the last General Assembly to local elections in the city of Louisville, is attended with many beneficial results to the public. The existing law requires amendment to meet Constitutional objections urged by the Court of Appeals

It is suggested that this system be also applied in all local elections in other large cities of the Commonwealth.

CONSTITUTIONAL CONVENTION.

The Secretary of State will report to you the result of the vote cast at the last August election, in regard to calling a Convention to revise the present Constitution of the State.

It appears from the report of the Auditor, that if the Convention be called, it will not be necessary to levy a special tax to defray the expenses of that body, as they can be met from the present revenue unless extraordinary appropriations be made for other purposes by the General Assembly.

MUNICIPAL INDEBTEDNESS.

The readiness with which municipal indebtedness is incurred often leads the governments of our cities and counties, in order to supply an imaginary want, to mortgage the interests of a remote posterity to supply the financial needs of the present hour. So reckless has been the conduct of some of our municipalities in this regard as to have resulted in greatly retarding public and individual progress in a number of localities, and in practically disorganizing local civil government.

It is recommended that to prevent the recurrence of such evils, the General Assembly enact a law which will restrict all municipal indebtedness to a small percentage of the assessed valuations of property.

CENTENNIAL.

It is the custom with individuals and amongst peoples to celebrate in some fitting way important events or eras in their history. In the year 1892 the State of Kentucky will have completed the first hundred years of its existence as a free Commonwealth, and as a not unimportant factor in the constellation of the Union. The same year will complete the fourth century since the discovery of the American Continent by Columbus.

It is believed that the General Assembly will take proper measures to commemorate events so important in our history, and will show by its action that the patriotic spirit of the past exists in the present, and promises an unending endurance.

IMMIGRATION AND CAPITAL.

There is a general desire for more capital, and Kentucky is not an exception to the rule; but capital only seeks fields where it expects to find remuneration, and immigration follows closely on the heels of capital to supply the labor necessary for development. The work of the Geological Survey has demonstrated the existence of immense mineral wealth in the State which can be easily developed, with flattering promise of compensation. To bring capital and immigration to the State it is only necessary to convince the world that we have fields sufficiently promising to attract them. It is believed that this can be easily done by a comparatively small appropriation, placed at the disposal of some appropriate official, with directions to establish at some proper point a Bureau of Information, where evidences of the mineral and agricultural wealth of the State shall be kept permanently on exhibition, and proper information furnished to all who may seek a further knowledge of the inducements which can be offered for immigration to the State. The subject is commended to your consideration.

ATTORNEY-GENERAL'S DEPARTMENT.

It was intended that you should be advised fully in regard to all important pending litigation in which the State is involved, and which

is in charge of the Attorney-General, but the report on that subject, which was sought, has not yet been received at the Executive office.

I desire, however, to renew the recommendations made to your predecessors in regard to the importance of such an organization of this department as will enable its chief officer to supervise and direct the action of prosecuting officers in every part of the State. The flagrant derelictions of duty on the part of some of these officials are shown in other parts of this communication.

The necessity of such an organization is further emphasized by a statement of the Auditor, who says: "Hundreds of small judgments obtained by the Commonwealth against delinquent officials and their sureties on bonds to secure the collection of the revenue, to secure fines and forfeitures for sales of lands, for taxes due from corporations, and for numerous other proceedings attending the enforcement of the laws of the State remain unpaid, simply because of the inability of the Attorney-General to give the proper time to their collection, and because of the lack of data in his office, or within his reach, from which to obtain the necessary information."

His office should be one of record, to which all public fines should be reported. He should be furnished with a clerk and an assistant to aid him in attending to the numerous and onerous duties which would devolve upon him in such a reorganization of his department. The compensation of these officials would amount to only a small percentage of the resulting collections.

UNNECESSARY LEGISLATION.

The Acts of the late General Assembly are published in three large volumes, aggregating 3,380 pages of printed matter. Of these acts only 213 were general acts, 1,420 were local acts, and 460 were of a strictly private nature.

It is not the purpose of the Executive to question the right of the General Assembly to consult its own ideas of duty and propriety in regard to the subjects on which it may choose to legislate, but it is deemed proper to ask your consideration of the amount of previous legislation which was altogether unnecessary, because it was already provided for by existing law.

The general acts of incorporation, applicable to all classes of associated business, with the exception of railroads, banks, and insurance,

make ample provision for the creation, without further legislative action, of corporations desiring to engage in business. These general acts of incorporation, while carefully guarding the public interests, grant to corporations, organized in pursuance of their provisions, every necessary power.

But, either with a view of obtaining powers which ought not be granted, or to obtain a charter for speculative purposes, or to throw the cost of organizations for purely private objects on the people of the State, previous Legislatures have been flooded with bills having for their object the attainment of ends already provided for by existing law.

As a result of such importunities, nearly one-third of the legislation of the last General Assembly, covering more than a thousand pages of the printed acts, was entirely unnecessary for the public interests, because it was already provided for, and entailed upon the people a cost of nearly fifty thousand dollars for matters in which they were not at all interested.

With a view of putting an end to the granting of charters for purely speculative purposes, it is earnestly recommended that a small tax be charged on every charter granted by the Legislature, or procured under the general acts of incorporation, and that all charters granted under the general acts of incorporation be recorded in the office of the Secretary of State. This tax need not exceed one-tenth of one per cent. on the capital stock of the company, and its payment to the Secretary of State should be a prerequisite to the vitality of the charter, which should expire by limitation if the tax be not paid within six months from the granting of the charter. There should be a further requirement that not less than five per cent. of the capital stock of such corporation should be paid into the Treasury of the State, to be held in trust for the corporation, and to be returned on satisfactory evidence produced before the Secretary of State that the corporation has complied with the mandatory terms of its charter.

It is also suggested that only a limited number of the private and local acts be printed, thus avoiding a large and unnecessary expense.

STATE INSPECTOR AND EXAMINER.

The report of the State Inspector and Examiner will show the great benefits resulting to the State from the investigations made by that official.

He has attended and verified the settlement every month between the Auditor and Treasurer, and has seen that the funds required to be on hand are actually in bank to the credit of the Treasurer. He has inspected carefully the public works of the State, and furnished information necessary for the intelligent action of the Commissioners of the Sinking Fund in regard to them.

He has maintained under constant supervision, the various charitable Institutions of the State, and the information thus obtained has served as a basis for the correction of abuses.

He has detected and exposed wrong-doing on the part of officials who handle public money, which will result in diverting to the Treasury, large sums of money which have been improperly withheld from the State, and wrongfully appropriated to private uses.

During the prosecution of other investigations which have been directed, it is believed that other wrongs will be exposed, and that the services of this official will result in an annual saving to the Commonwealth of many thousand dollars.

His accompanying reports are commended to your careful consideration.

STATE GUARD.

The report of the Adjutant General will inform you of the condition of the State Guard, and of the measures taken to improve its instruction and discipline.

The interesting and patriotic occasion offered in the celebration at New York City of the centennial of the inauguration of Washington as the first President, afforded the opportunity of bringing a portion of the State Guard in friendly competition with the troops of other States. It is gratifying to report that the Kentucky troops did not suffer in the comparison, but fully sustained the reputation which the State has justly won for the excellent quality of its soldiers.

Two military camps of instruction were held during the past summer, at which most gratifying progress was made in the instruction and discipline of the troops.

Companies were organized, with beneficial results, in Pike and Perry counties, where much lawlessness prevailed. This could be done only by disbanding other companies, as the number is limited by law.

Authority should be given to organize additional companies when

needed to support the civil authorities, thus avoiding the expense and delay incident to sending troops from a distance. Numerous calls have been made on the Executive for troops to aid in the enforcement of the law, but in only two instances—in Perry and Harlan counties—was it deemed necessary to supply them. It is to be regretted that on those occasions the civil authorities did not fully avail themselves of the presence of the troops to organize civil posses to arrest offenders. The presence of the troops maintained order, but on their departure the violations of law were resumed, the civil authorities apparently being impotent to enforce the law, or not fully sensible of their duty to the public.

RAILROAD COMMISSION.

The report of the Railroad Commissioners shows that there will be in operation in this State at the close of the present year 2,835 miles of railway, being an increase of 232 miles during the year. In addition to these completed roads 100 miles are under rapid construction and will be in operation within the next few months.

The gross earnings of the roads operating in this State amounted during the year to \$14,400,496.00; the operating expenses to \$8,778,199.00; the net earnings being \$5,893,177.00; the net earning being 17 per cent. of the assessed valuation, which amounted to \$44,690,903.00. This shows a very prosperous condition of the roads. Taxes were paid, however, on only \$34,174,272.00 valuation of railroad property, as the residue, amounting to \$10,516,631.00, is at present exempt from taxation by the terms of their charters.

The report shows that the valuation of their property returned to the Auditor by the railroad companies is, as usual, far below the proper valuation, and was increased by the Commission in the sum of \$9,854,861.00, thus realizing a tax of \$46,810.00 in excess of what it would have been but for the careful investigations of the Commission.

Your attention is especially invited to the reports of the Commissioners on the subject of extortion practiced by certain companies, and the refusal of others to receive and deliver freights moving over competing lines, which result in heavy losses to shippers.

I respectfully urge upon the General Assembly the necessity of granting additional powers to the Commission, to enable them to

protect the people against the wrongs thus inflicted by some of these corporations.

All railroad bridges across the Ohio river should also be placed, for purposes of assessment, under the supervision of the Commission.

For the better security of the traveling public, the Commission should also be empowered to employ an expert, when necessary, to examine into the condition of railroad bridges, which may be considered unsafe, the costs of such examination to be assessed upon the corporation. Ample powers should be conferred on the Commission to require such bridges to be rendered safe, under proper penalties to negligent corporations.

ENFORCING THE LAW.

Republican government is based upon the theory that a free people are capable, under ordinary circumstances, of enforcing the observance of their laws through the instrumentality of civil officers of their own selection. It may be safely assumed that a large majority of every community are ready to sustain these officials whenever they show an earnest purpose to punish infractions of law. Yet nothing is more common than to find civil officers disregarding their plain duty, either by failure to issue proper process, or by neglecting, and even refusing, to serve process placed in their hands for execution. Citizens, too, when summoned to aid in the arrest of offenders, often fail and frequently refuse obedience to the summons. Yet under these circumstances it seldom happens that any attempt is made to bring these infractions of law before the grand juries, or if their attention is called to these neglects, they are usually ignored.

In every case of lawlessness on an extended scale, which has been investigated, the cause is directly traceable to the neglect of civil officials. The example which they set of disregard of duty, is followed by the masses of the people, who, instead of seeking from the courts redress for their supposed wrongs, despair of that remedy, and resort to violence to attain their ends. In the face of such a contingency, it happens that in many cases, where these disorders have been primarily induced by the disregard of duty by the officers of the law, these officials assume that the matter is beyond their control, and without making any effort to enforce the observance of law, content themselves with calling upon the Executive for an armed

force, from a distance, to discharge the duties which a slight effort of the local authorities would enable them to perform without extraneous assistance.

It has been the effort of the Executive to show that the people should rely upon themselves to enforce obedience to their laws. If habituated to rely upon military force to serve civil process, they lose confidence in the methods prescribed by law, and are educated to subordinate their legitimate, constitutional government, to one of military force alone, which is opposed to every principle of free government.

It is for this reason, that while every purpose has been shown to sustain the judicial authorities by such military force as was necessary, care has been taken, while giving this assistance, not to substitute the military arm for the civil posse authorized and required by the law, and placed at the disposal of the judicial officers for the purpose of arresting offenders. If troops were thus substituted on only a few occasions, the result would be, that the sheriffs of many counties in the State would invariably call for troops to discharge duties which can be performed by citizens of the locality, under existing law; and an army would be required, at a heavy cost to the State, to discharge ordinary police duty in the counties.

The Executive, in being required to take care that the laws are executed, is very properly restricted to the agencies provided by the laws for their enforcement. He can support the civil authorities, but can not supercede them. If they disregard or neglect their duty, the laws provide for the procedures necessary to punish the neglect. If the laws are defective in this regard it is for the legislative department of the government to provide the remedy.

From the statements that have been made it is apparent that existing legislation has failed entirely to maintain order in a number of counties. Numerous assassinations have been committed, yet the criminal is not arrested. Citizens refuse to obey the summons of the sheriff, yet their names are not reported. Ministerial officers fail or refuse to serve warrants placed in their hands, yet they are not prosecuted. Judicial officers neglect and even refuse to issue process, yet they are not held accountable. If the circuit judge were earnestly to discharge his whole duty many of these difficulties would disappear; but it unfortunately happens that sometimes even that high judicial position is not filled by a man sensible of his responsibility to the public.

To accomplish this desirable object heavier penalties should be affixed to the neglect of public duty, both by officials and by other citizens; a department of justice, under the control of the Attorney-General, should be organized on such a basis as will enable him to compel the local prosecuting officers to discharge their duty; and the General Assembly, in the discharge of the high trust imposed on them by the people, should carefully investigate the conduct of judicial officers, who may have disregarded their duty, and exercise, when necessary for the public good, the power of impeachment or removal from office.

Additional legislation is also needed to provide for the assignment of some other circuit judge where the regular judge, from any cause, is absent. This necessity will be apparent when the recent action of the Judge of the Nineteenth Judicial District is considered.

In a communication dated November 13th, 1889, the judge informed the Executive that unless a guard was sent to accompany him on the circuit he "would not attempt to hold courts at Letcher, Knott or Breathitt." As no information had reached the Executive Office to show that any organization existed in opposition to the civil authorities in those counties, no troops were sent, and in some of those counties, as I am informed, courts have not been regularly held by the circuit judge since that time.

While the Executive has no control over the movements of any judicial officer, it becomes his duty to invite the attention of the General Assembly to a declaration by the judge of that district which was equivalent to an abdication of the duties of his office and a denial of justice to the people. If high officials of the State can refuse to make even an attempt to discharge the duties imposed upon them, the execution of the laws becomes impossible. The correspondence on the subject is herewith submitted for your information.

HARLAN AND PERRY COUNTIES.

The failure to discharge their duty on the part of the civil officers of Harlan and Perry counties, for the details of which you are referred to the accompanying reports of the Adjutant-General, shows either their inability or their unwillingness to discharge the duties imposed upon them by law. The result of their inaction is a travesty on justice, reflecting not only on the officers themselves but also on the people, in their failure to choose more efficient public servants.

Under all the circumstances, it is believed that the public interests would be advanced if the General Assembly were to repeal the acts organizing the counties of Harlan and Perry, and distribute their territory to the jurisdiction of the adjacent counties.

JEFFERSON CIRCUIT COURT.

While the Judge of the Nineteenth Judicial District has failed to discharge the duties of his office, and has thus rendered himself amenable to legislative investigation, the Judge of the Jefferson Circuit Court has repeatedly exceeded the limits of his authority by invading the domain, both of the Legislative and Executive branches of the State government.

A disreputable character, under sentence of the Jefferson Circuit Court for a brutal and aggravated assault on an unoffending person, was serving a term of imprisonment for five years in the county jail. About one year had been thus served. The case had long passed beyond the legitimate control of the circuit judge; but notwithstanding this fact, the judge of the court issued an order on June 19, 1888, reciting that "the defendant being in bad health, and it being considered by the Commonwealth's Attorney that defendant had been adequately punished, the unexecuted part of the judgment is suspended and defendant discharged." He was accordingly released, and seems to have resumed at once his career of crime. Learning that he was serving a term of imprisonment in Ohio, a requisition was made for his surrender. The Attorney-General was requested to move the circuit judge to rescind his former illegal order, which was done on the urgent insistence of that officer. The predatory and vicious life of the criminal seems to have been physically beneficial to him, as the judge, reciting that the health of the offender had improved, made an order rescinding the former action in his case. On the expiration of his term of imprisonment in Ohio the criminal was surrendered, and is now serving the remainder of his term in the Jefferson county jail.

The State Inspector, while investigating the collections of fines due the State, discovered another practice of this court which illegally diverts money from the public Treasury and appropriates it to the uses of officials of the court. The law allows certain officials a percentage of fines, specially limiting the amount thus allotted to the percentage on the amount actually collected, the Commonwealth

being entitled to forty-five per cent. of such portions of these fines as may be collected. But the judge of the court, assuming both Executive and Legislative functions, in a number of cases has ordered that only fifty-five per cent. of the fine assessed shall be collected, all of which is distributed amongst the officials, remitting, without authority of law, all the remainder. As the State is entitled to forty-five per cent. of all sums collected, it follows that, under the illegal orders of the court, on every thousand dollars thus collected, four hundred and fifty dollars are virtually abstracted from the State Treasury and distributed amongst officers of the court. This seems not to have been an uncommon practice in this court.

Your attention is also invited to the report of the State Inspector and Examiner, on the action of this court in regard to the funds ordered into the possession of the Trustee of the Jury Fund. It is believed that the only authority which the court had in the premises under existing law, was to direct that a sufficient sum should be paid over to the Trustee to enable him to defray the expenses of the court. The Trustee could not legitimately use any additional sum. But instead of limiting him to this amount, as a just regard for the public interests would seem to demand, the court, since 1880, has ordered into his keeping more than half a million dollars in excess of the amount necessary to pay the expenses of the court. The only result of this was to enable the trustee to speculate on this public money, and in addition to earning interest for his individual benefit, to withhold from the State, as commissions, for which no service was rendered, the sum of more than \$22,000, which, added to the interest earned by him, made a sum of nearly \$30,000 rightly belonging to the Commonwealth. The Attorney-General has instituted legal proceedings to recover this sum.

FINES.

It was urged upon the last General Assembly to amend the law on the subject of the collection of fines in such manner as to require them to be paid directly into the State Treasury, and that the percentages allowed the prosecuting and other officers be afterwards paid to them from the fund thus collected. A closer investigation of the subject has accentuated the necessity of such legislation.

The existing statute is based upon the theory that every officer of the State, who has an interest in these fines, will consult the public

welfare equally with his own. Unfortunately, this theory is not sustained in practice. The law allows to these officials only a certain per cent. of such portions of fines as may be actually collected, but it has become the rule, to which there are some exceptions, to procure the collection of only fifty-five per cent. of these fines, and to distribute this entire amount amongst the officials, the State being defrauded of its just proportion of the sum collected. Abuses in regard to the collection of these fines exist in nearly every section of the State. Petitions are constantly reaching the Executive Office, asking the remission of the State's portion of fines, on the ground that fifty-five per cent. of the amount has been already paid to the officials, who thus withhold from the State its just proportion. The State Inspector, who has been instructed to investigate this subject, and who, for want of time, has been able to make only a partial examination, reports, that in the county of Jefferson alone, about \$30,000 of fines remain uncollected since 1880; that where fines have been respited by the Executive for definite periods, there has been entire failure to issue process for collection after expiration of the respite; that there are other judgments for large sums, upon which no executions have ever been issued; others which the commissioner of the jury fund has directed should not be collected; another judgment where the *capias* is indorsed "Not arrested by order of the court," and others where the court has directed that the Commonwealth should receive no portion of the fines which the Legislature declared should go into the public treasury.

The extent of the loss sustained by the State in consequence of these abuses can not be ascertained, because of the imperfect system of responsibility now existing. That it is very large, may be inferred from the fact that the Auditor's report shows that from the county of Jefferson, including the large population of Louisville, where large fines are imposed by the circuit court, only five hundred dollars and forty-seven cents were paid into the Treasury in 1888 on account of fines, many sparsely settled counties in the State paying more than double that amount.

Many of the abuses which now exist in regard to the collection of these fines would be remedied if the existing law should be so amended as to require all fines, when collected, to be paid to the Auditor without deduction of any com-

mission, and that the officials afterwards receive from the Treasury the percentages to which they are entitled. This amendment is urged upon your attention as absolutely necessary to protect the Treasury from such impositions as have been described.

RAILROAD AND OTHER CORPORATIONS.

The State, in exercising the highest functions of its sovereignty, grants certain franchises to corporations for a dual purpose—first, to enable corporations to do certain specified things for their own benefit; and, secondly, that the franchises thus granted, and which originally belonged to the people exclusively, shall be exercised for the common benefit. It is the duty of the corporations thus created by the act of the people to limit their actions to the powers received, and it is the duty of the agents of the people to supervise the acts of all such corporations in such manner as to protect the people from any attempted impositions and usurpations of corporate power. The individual should not be left to contend single-handed for his rights when infringed by these powerful corporations, for to do this would be, in most cases, a denial of justice by subjecting him to the further displeasure and prosecution of a power whose wrongful action he has resisted. It is the duty of the Government, which, for a public good, has conceded valuable franchises to a corporation, to make every violation of the terms of the charter a public wrong, punishable by appropriate penalties, even to a forfeiture of chartered rights. While these principles are justly applicable to all corporations, the necessity of their application to railways operated in this Commonwealth is emphasized by the action of some of those corporations.

The General Assembly, in discharging a public duty, have deemed it appropriate to organize a Commission for the purpose, amongst other things, of investigating certain abuses of power on the part of railroad companies. The authority of the Commission is limited, being chiefly persuasive in its character. They can investigate complaints, report and, in certain cases, prosecute. But fear of the power of the railroads deters citizens from making complaints of wrongs suffered from a corporation, which can still further punish them for having complained of extortion or discrimination; and the laws are so framed, under the influence of the railways, as not only to refuse adequate protection to the citizen, but to protect the corporation in the infliction of the wrong.

But slight as is the power of the Commission over these corporations, they seem restive under any supervision which may tend to expose their actions. It was for this reason, as appears from the report of a joint committee of both Houses of the last General Assembly, that a concerted attempt was made to procure the enactment of a law abolishing the Railroad Commission, which had made known some of the wrongs committed by these corporations.

This report shows that a large and influential railroad lobby was maintained at Frankfort, "embracing chief officers of railroad corporations, both from Kentucky and Tennessee, attorneys and other officers of railroad companies;" that the object of this lobby was to procure the repeal of the act establishing the Railroad Commission; that to attain this object it brought, from all parts of the State, "the paid local attorneys and agents of railroad corporations, for the purpose of influencing individual members of the General Assembly with reference to railroad legislation;" that it organized an editorial bureau, and "employed agents to go over the State, and obtain interviews favoring the legislation it asked, and had the interviews published in a large number of papers;" that "the Senate and House of Representatives were then flooded with copies of the papers containing the editorials and interviews;" that what purported to be interviews were, in some cases, purely fictitious, and "that the lobby has made a thoroughly organized and extraordinarily powerful effort to dominate the Legislature, and dictate the railroad legislation enacted by it; that undue and illegal means were used to procure the enactment of such legislation; that the statute against lobbying, to-wit: Section 1, article 30, of chapter 29, of the General Statutes, has been flagrantly violated by members of the lobby."

The fact that such illegal methods were resorted to by railroads to avoid proper supervision of their acts is a convincing reason that the people, through their Legislative body, should not only demand the continuance of this supervision, but should largely extend the powers of the Commission; should carefully define what shall constitute extortion and discrimination; should affix adequate penalties for such offences; should make every violation of its charter by a corporation a public offense punishable by indictment, and in cases of an aggravated character should provide for the forfeiture of a charter whose powers have been exceeded by the corporation. As certain vegetation when "ripened by the sun forbids the sun to enter,"

so these corporations owing their very life to the favor of the people would shut out the light which the representatives of the people would throw upon their actions to prevent them from usurping powers not granted in their charters. Such supervision seems absolutely essential to protect the interests of the people against the monopolistic tendency of the times.

Such action can not be construed as in any way unfriendly to railways. They are a necessity of the age. They should be encouraged and protected in the legitimate exercise of the powers granted to them ; but they should not be permitted, either singly or by combinations, to deal unjustly with the people for whose benefit they were chartered, or to usurp with impunity powers which it was never contemplated should be conferred upon them.

As an illustration of the utter disregard, both of public and private rights by corporations, a case now seriously affecting the interests of commerce and labor in the State may be cited.

The Louisville Bridge Company has a contract with certain railroad companies, authorizing them to pass their cars over their bridge. By permission of the city of Louisville, a railway track has been laid by the Bridge Company on a street which connects with this bridge. This track is connected with numerous large manufacturing establishments, which were located with a view of obtaining transportation over all lines connected with this track, the proprietors knowing that they had a right to demand of the railroads, as common carriers, the shipment of their goods over all connecting railways. The railroad companies put forward the bridge company to operate the track in their interest, to receive and deliver freight for the various roads.

In the meantime some of these roads severed their connection with the Louisville Bridge and conveyed their cars over the Kentucky & Indiana Bridge, establishing a connection with the track which led to the manufacturing establishments to which they had been in the habit of delivering their freight. The Louisville Bridge Company claims that these railroad companies had violated a contract with them. If this were so, their remedy was by action against these railway companies. But instead of limiting themselves to that action, the bridge company commenced a war against the innocent shippers, who had nothing whatever to do with the action of the withdrawing railroads. The track which connected with the other bridge was torn up by the Louisville Bridge Company, and that company, while continuing to

receive and to handle over the track connecting with its bridge, freights for all companies that pass over it, persistently refuse to receive any freights designed for any road that passes over the competing bridge. While daily acting as a common carrier for the roads with which it is associated, the Louisville Bridge Company declares that it is not a common carrier and will not receive freights intended for any other roads. The action of these associated companies seems like a conspiracy to ruin, financially, a large number of enterprising manufacturers, and to force them to turn away a large number of mechanics now employed by them, unless they patronize the members of this conspiracy.

The details of this transaction are fully shown in the report of the Railroad Commissioners.

The action of the Louisville Bridge Company, and its associates, seems to be a public wrong of so grave a nature, such an outrage on individual rights, and so detrimental to the commercial interests of the people, that directions have been given to institute legal proceedings to vindicate the dignity of the State, and to award to the citizens, who have been thus wronged, the protection due from the government.

But as the processes of law, when powerful corporations are concerned, are very slow, these innocent shippers may be financially ruined before the completion of action by the courts. It is believed that the General Assembly is competent to provide a speedier remedy for the protection of the shippers.

While the city of Louisville has granted its permission to lay the railway track in Fourteenth street, the act is not complete without the consent of the Legislature. It is, therefore, recommended that the action of the city council of Louisville, in this matter, be annulled, and that a new charter be granted to some association, in terms which will secure the rights of the citizens of the State, and enforce obedience to law on the part of corporations.

While the report of a committee of the last General Assembly reveals some of the improper and illegal methods employed by corporations in attempting to influence legislation, it is believed that an impartial investigation, under your authority, will show that many of these corporations resort to the most corrupt means of influencing local elections. Your attention is especially invited to a consideration of this subject. If such methods be acquiesced in, the result

will be that the vast sums amassed by these monopolies, in many cases by extorting it from the people, will be employed in corrupting the very sources of free government, and in practically diverting legislation into the hands of corporate power.

A corporation thus abusing its privileges, and corrupting the public morals, should be punished by forfeiting its charter, and the offending officials punished by fine, imprisonment, and deprivation of the rights of citizenship.

TRUSTS AND OTHER CORPORATIONS.

Your attention is invited to the oppression resulting to the people from combinations of capital under the name of "trusts." Fostered as they are by that vicious legislation of the General Government which forbids the masses of the people to seek the markets of the world, either for an advantageous sale of their commodities or the economical purchase of their supplies, resulting as such partial legislation, must necessarily do, in the rapid concentration of capital in the hands of the favored few at the expense of those whose industry earns it, it has become necessary for the legislative department of the State Government to exhaust its constitutional power to protect the people from the insupportable extortions resulting from these hurtful combinations. These trusts assume various disguises, but they have the common object of enhancing the price of articles of prime necessity to the people, and at the same time of reducing the price of the commodities which the producer is forced to sell in order to provide for the necessities of those who are dependent upon him.

Among other methods adopted, corporations from other States have leased productive oil fields, not for the sake of developing them, but for the purpose of preventing their development.

All such combinations, under whatever disguise they appear, are opposed to public policy, and inimical to the best interests of the State. They are actuated by a spirit of greed as injurious to the interests of society and as regardless of its rights as an organized system of brigandage and merit to be visited by the severest penalties.

It will be the pleasing duty of the Executive to unite cordially with the General Assembly, in their patriotic purpose to repress the extravagant demands of individual greed to grow fat at the expense

of the public ; to keep within bounds the constant encroachments of corporate power ; and to enact legislation, which, granting exclusive privileges to none, will be just alike to every element of society. By such just measures alone can the public welfare be promoted, and the liberties of a free people maintained.

Respectfully,

S. B. BUCKNER.

EXECUTIVE OFFICE, FRANKFORT,

December 30th, 1889.

On motion of Mr. Smith :

Ordered, That said message be printed and referred to the proper committees, and that the Public Printer furnish each Senator with two hundred and fifty copies properly enveloped and stamped.

Mr. English moved the following resolution, viz :

Resolved, That the Librarian be, and is hereby, directed to supply each Senator with a copy of the General Statutes and of the Code of Practice for use during the session.

Which was twice read and adopted.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, December 30, 1889. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Tom Adams, Jefferson county.
R. Arnsperger, Fayette county.
B. M. Arnett, Jessamine county.
J. M. Bent, Montgomery county.
H. Buchanan, Jr., Campbell county.
E. G. Buckner, Daviess county.
B. G. Bruce, Fayette county.
D. D. Bell, Fayette county.

J. M. Borntraeger, Jefferson county.
William Barton, Cumberland county.
W. A. Cooke, Warren county.
D. P. Curry, Jefferson county.
Charles Eugene Clark, Kenton county.
William Edmunds, Jefferson county.
Geo. G. Ellis, Henderson county.
M. L. Fugate, Logan county.
Charles Franke, Jefferson county.
H. A. Guthrie, Fayette county.
H. J. Gausepohl, Kenton county.
Morton V. Joyes, Jefferson county.
John S. Humphreys, Nelson county.
W. S. Hogue, Jefferson county.
R. K. Hoeflich, Mason county.
J. M. Hughes, Pulaski county.
William Harrison, Jefferson county.
Geo. E. Miller, Montgomery county.
J. D. Mock, Boyle county.
Burwell K. Marshall, Jefferson county.
S. B. McGill, Jefferson county.
John H. McHenry, Jefferson county.
J. G. Montgomery, Harrison county.
W. F. Norton, Jr., Jefferson county.
T. F. Osborn, Nelson county.
C. B. Owens, Pulaski county.
Logan G. Patton, Jefferson county.
Elbridge Palmer, McCracken county.
A. H. Parker, Lewis county.
Wm. W. Rubel, Marion county.
D. Runyon, Fayette county.
Frank B. Richardson, Christian county.
C. E. Rice, Fulton county.
Edmund Rapp, Jefferson county.
D. J. Burr Reeve, Henderson county.
J. M. Stephens, Jefferson county.
Henry Spears, Bourbon county.
C. B. Seymour, Jefferson county.
H. G. Sandifer, Boyle county.
A. G. Stitt, Bourbon county.
W. W. Thum, Jefferson county.
R. K. Tarvin, Kenton county.
Chas. A. Woolfolk, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Glenn moved that when the Senate adjourns, it adjourn to meet to-morrow, at 10:30 o'clock, A. M.

Mr. Berry proposed an amendment to said motion as a substitute therefor, as follows :

That when the Senate adjourns, it adjourn to meet on Thursday, January 2, 1890, at 2 o'clock, P. M.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the motion made by Mr. Glenn, as amended, and it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, JANUARY 2, 1890.

The regular Speaker, Hon. J. W. Bryan being absent, Mr. D. H. Smith, at his request, took the Chair and presided.

The reading of the Journal of Monday was dispensed with.

The Speaker announced the appointment of the following Standing Committees of the Senate for the present session, viz :

On Agriculture and Manufacture—B. F. Reynolds, Chairman ; C. B. Poyntz, T. L. Glenn, Reuben Conner, John H. Shearer, B. F. Cockrell, J. M. Pieratt.

On Appropriations—G. Terry, Chairman ; W. F. Berry, Jno. H. Lunsford, J. B. Hannah, Jno. W. Martin.

On Banks and Insurance—R. G. Hays, Chairman ; Wm. Lindsay, Reuben Conner, John H. Lunsford, D. H. Smith.

On Charitable Institutions—James H. Mulligan, Chairman ; Sam E. English, R. J. Breckinridge, J. S. Wortham, A. H. Stewart.

On Claims—Charles Patteson, Chairman; B. F. Bradley, John P. Newman, Phil Roberts, J. B. Hannah.

On Courts of Justice—William Goebel, Chairman; John P. Newman, Chas. Patteson, J. B. Hannah, G. W. Gates.

On Codes of Practice—F. W. Darby, Chairman; Sam E. English, Jno. J. Paul, W. W. Dickerson, W. H. Anderson.

On Education—A. L. Peterman; James H. Mulligan, A. H. Stewart, Jno. H. Shearer, F. W. Darby.

On Enrollments—T. L. Glenn, Chairman; J. M. Pieratt, J. W. Martin, A. L. Peterman, John R. Kemp.

On Executive Affairs—D. H. Smith, Chairman; C. B. Poyntz, R. G. Hays, Phil Roberts, B. F. Reynolds.

On Federal Relations—W. F. Berry, Chairman; R. J. Breckinridge, T. L. Glenn, J. J. Paul, D. W. Wright.

On Finance—C. B. Poyntz, Chairman; J. B. Hannah, J. P. Huff, G. Terry, J. K. Hendrick.

On General Statutes—D. W. Wright, Chairman; G. Terry, Wm. Goebel, J. S. Wortham, John McCann, W. H. Anderson.

On Immigration and Labor—Jno. P. Newman, Chairman; B. F. Cockrell, W. F. Berry, J. W. Martin, B. F. Reynolds.

On Internal Improvements—Sam E. English, Chairman; B. F. Bradley, J. H. Lunsford, Wm. Goebel, G. W. Gates.

On Judiciary—J. K. Hendrick, Chairman; Wm. Lindsay, R. J. Breckinridge, D. H. Smith, Jas. H. Mulligan.

On Library and Public Buildings—Jno. R. Kemp, Chairman; Wm. Lindsay, Jas. H. Mulligan, John McCann, J. H. Shearer.

On Military Affairs—G. W. Gates, Chairman; J. W. Martin, D. L. May, J. B. Hannah, G. Terry.

On Penitentiary and House of Reform—W. W. Dickerson, Chairman; Wm. Lindsay, F. W. Darby, J. W. McCain, J. H. Shearer.

On Printing—B. F. Cockrell, Chairman; John R. Kemp, Charles Patteson, J. J. Paul, W. H. Anderson.

On Propositions and Grievances—Reuben Conner, Chairman; John P. Newman, R. G. Hays, Phil Roberts, A. L. Peterman.

On Privileges and Elections—W. H. Anderson, Chairman; A. H. Stewart, Sam E. English, W. W. Dickerson, Reuben Conner.

On Public Health—J. P. Huff, Chairman; G. Terry, Phil Roberts, Charles Patteson, Wm. Goebel.

On Public Expenditures—Joseph W. McCain, Chairman; John P. Newman, B. F. Cockrell, J. H. Lunsford, D. W. Wright.

On Religion and Morals—J. M. Pieratt, Chairman; W. F. Berry, G. W. Gates, J. P. Huff, J. K. Hendrick.

On Railroads—B. F. Bradley, Chairman; R. J. Breckinridge, John R. Kemp, Joseph W. McCain, D. L. May, J. H. Lunsford, John McCann.

On Retrenchment and Reform—J. B. Hannah, Chairman; W. F. Berry, J. S. Wortham, J. W. Martin, W. H. Anderson.

On Rules—The Speaker, Chairman; Wm. Lindsay, D. H. Smith, R. J. Breckinridge, James H. Mulligan.

On Sinking Fund—J. S. Wortham, Chairman; D. L. May, Charles Patteson, T. L. Glenn, J. H. Lunsford.

Mr. Glenn, from the Committee on Enrollments, announced the appointment of Pat. McDonald as Clerk of said Committee.

Whereupon Mr. McDonald took the oath prescribed by the Constitution and laws of this Commonwealth.

Mr. Kemp read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Door keepers of the Senate and House of Representatives be allowed to draw the same *per diem* allowed the Sergeants at-Arms of the General Assembly under the general law during the present session.

2 This resolution shall take effect from and after its passage.

Which, under the rule, lies over one day.

Mr. McCann moved to dispense with the rule of the Senate in order to take up said resolution for consideration.

The question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Reynolds read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Public Printer and Binder be, and he is hereby, requested and directed to print two hundred copies

of each days' Journals of the Senate and House of Representatives daily, as the session progresses, and lay the same upon the desks of all the members of the General Assembly not later than half an hour preceding the time of meeting of the respective Houses of the General Assembly the next succeeding day.

2. This resolution to take effect from and after its adoption.

Which, under the rule, lies one day on the table.

Mr. Berry moved to dispense with the rule of the Senate in order to take up said resolution for consideration.

The question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, Charges of official misconduct on the part of the Judge of the Jefferson Circuit Court have been made, and all of which are specifically set forth in the Governor's message ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of two from the Senate and three from the House be appointed by the respective Speakers thereof to inquire into all the charges aforesaid, and in order to carry out the intent of this resolution said committee is hereby granted full power to compel the attendance of witnesses by attachment or otherwise, and to compel such persons to testify when so summoned, and make or cause any one to produce before said committee such papers as they may deem necessary in making such investigation.

2. The said committee may, in their discretion, employ an expert or experts to aid them in the conduct of such investigation, and may hold their sittings at such times and places as to them may seem expedient.

3. The State Inspector shall also attend said committee whenever his presence or services may be demanded.

4. Said committee may investigate any other official misconduct of said judge, and the misconduct of any other official or officials connected with said court, and they will report their action herein as early as practicable.

5. This resolution to take effect from and after its adoption.

Which, under the rule, lies one day on the table.

Mr. Reynolds read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the State Librarian be, and he is hereby,

requested and directed to supply the members of the present General Assembly with stationery: *Provided*, That said members shall pay to said Librarian the cost price of such stationery, and any money received under this resolution shall be paid by the said Librarian to the Auditor of Public Accounts.

2. This resolution to take effect from and after its adoption.

Which, under the rule, lies one day on the table.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, Complaints from every part of this Commonwealth are being made against the various publishers and dealers in school books, charging said publishers and dealers with extortionate prices for said books ; and, whereas, it appearing that other States, especially Indiana, is publishing its own text-books for the use of the schools of said Commonwealth, thus saving to its own people an immense sum of money each year ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee to consist of two members from the Senate and three from the House be appointed by the respective Speakers thereof, for the purpose of inquiring into the feasibility of the State's printing and furnishing her own text-books to be used in the public schools of this Commonwealth, and report a bill or such bills as they, the said committee, may deem best to accomplish said purpose.

2. The said committee shall have, and is hereby, granted full power to send for persons and papers, and compel the attendance of witnesses by attachment when failing to appear in answer to a summons or subpœna, and require such persons to testify when so summoned relating to matters pertaining to the school or text-book question.

3. To more effectually carry into effect this resolution, said committee may visit such points or places as will most fully enable them to secure information touching the matters herein set forth.

4. Said committee shall commence their sittings as early as practicable, so as to report at the earliest moment possible.

5. This resolution to take effect from its adoption.

Which, under the rule, lies one day on the table.

Mr. Glenn moved to dispense with the rule of the Senate in order to take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

So said resolution fell into the orders of the day.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, It appears from unmistakable evidence that the people of a great portion of the State derive no benefit from the Agricultural and Mechanical College, located at Lexington, for the reason that the free tuition offered will not more than offset the traveling expense of students living in remote parts of the State, and is, therefore, no inducement to any but those living in the vicinity of said school ; and, whereas, there are many young men in this Commonwealth who are unable to pay their board and tuition, who could and would avail themselves of the opportunity to attend said school under more liberal management ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of two from the Senate and three from the House be appointed by the respective Speakers thereof, whose duty it shall be to examine into the propriety of so amending the laws governing the Agricultural and Mechanical College of this Commonwealth, as to admit all State students free of charge for board and tuition, and should the amount of money furnished by the State be insufficient, the committee shall ascertain the deficit, so that an additional appropriation may be made, or the number of students heretofore allowed be so reduced so as to bring the aggregate expense for board and tuition within the present appropriation. In the event the said committee shall deem it expedient to so change said law they will ascertain the number of students to be admitted, and make an equitable apportionment of said students among the counties of the State, and suggest the manner of appointment or selection as may seem to them most just.

2. They, the said committee, shall also, in order to carry out the objects of this resolution, shall examine into the conduct or management of said college, and may send for persons or papers, compel attendance of witnesses by attachment or otherwise, and compel such witnesses to testify when so summoned.

3. Said committee shall commence its sittings at the earliest moment practicable and make report as soon as possible, and shall report a bill or bills looking to the accomplishment of the ends sought by this resolution.

4. This resolution shall take effect from its adoption.

Which, under the rule, lies one day on the table.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled :

An act to amend the charter of the town of Catlettsburg.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hannah, the rules were suspended, and said bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Shearer, leave of absence, indefinitely, was granted Messrs. Martin, Darby and Lunsford.

Leave was granted to bring in the following bills:

On motion of Mr. Kemp—

1. A bill to charter the Hickman County Banking and Trust Company.

On motion of same—

2. A bill to incorporate the Columbus Bank, of Columbus, Kentucky.

On motion of Mr. Hendrick—

3. A bill, entitled "An act to regulate the prices of school text-books, and to provide for a distribution of the same, and punishing persons for violating the provisions thereof."

On motion of Mr. English—

4. A bill amending article 1, section 22 of the Revised Statutes and Supplemented Act, approved March 30, 1880.

On motion of Mr. Glenn—

5. A bill, entitled "An act to amend an act, entitled 'An act to regulate the exemption of personal property from execution attachment, distress for rent, and fee-bills in this Commonwealth.'"

On motion of same—

6. A bill, entitled "An act to incorporate the Kentucky Safety Vault and Trust Company, of Paducah."

On motion of same—

7. A bill, entitled "An act to establish a normal school for white teachers in the First Superior Court District."

On motion of same—

8. A bill, entitled "An act to repeal section 11 of an act, entitled 'An act to establish the county of Carlisle.'"

On motion of Mr. Paul—

9. A bill, entitled "An act to amend an act, entitled 'An act to incorporate the Somerset Banking Company.'"

On motion of Mr. Terry—

10. A bill to charter the Farmers' and Merchants' Bank, of Elkton, Todd county, Ky.

On motion of Mr. McCann—

11. A bill to amend the charter of the city of Louisville.

On motion of Mr. English—

12. A bill amending the charter of the West View Building Company, of Jefferson county.

On motion of Mr. Hendrick—

13. A bill to incorporate the Trigg County Farmers' Bank.

On motion of Mr. Bradley—

14. A bill for the benefit of L. D. Husbands and James Y. Kelly.

On motion of Mr. Goebel—

15. A bill to amend an act, entitled "An act to amend chapter 57 of the General Statutes."

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st, 2d, 6th, 9th, 10th and 13th; the Committee on Education the 3d and 7th; the Committee on General Statutes the 4th, 5th, 11th, 12th and 15th; the Committee on Propositions and Grievances the 8th, and the Committee on Claims the 14th.

On motion of Mr. Goebel, the Senate adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, JANUARY 3, 1890.

The reading of the Journal of yesterday was dispensed with.

The Senate, according to order, took up for consideration the joint resolution proposed on yesterday by Mr. Glenn, entitled:

Resolution requiring the appointment of joint committee to investigate the charges preferred against the Judge of Jefferson Circuit Court.

(For resolution, see Senate Journal of yesterday.)

On motion of Mr. Newman:

Ordered, That said resolution be referred to the Committee on the Judiciary.

The Speaker laid before the Senate the statement of the Secretary of State of the result by counties of an election held

on the first Monday in August, 1889, on the question of calling a constitutional convention, made in compliance with section 5 of the act, entitled "An act for taking the sense of the good people of the Commonwealth, as to the necessity and expediency of calling a convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representative within this State," approved January 20, 1888.

Said statement reads as follows, viz :

OFFICE SECRETARY OF STATE, }
FRANKFORT, December 30, 1889. }

Hon. JAMES W. BRYAN, Speaker of the Senate :

SIR: In compliance with the requirements of Section 5, of an act, entitled "An Act for taking the sense of the good people of this Commonwealth, as to the necessity and expediency of calling a convention to amend the Constitution, and to provide for ascertaining the number of citizens entitled to vote for Representatives within this State," approved January 20th, 1888; I have the honor to transmit herewith a statement, by counties, of the result of a registration made, and an election held on the first Monday in August, 1889, under, and in pursuance of the provisions of said act.

Very respectfully,

GEO. M. ADAMS,
Secretary of State.

COUNTIES.	Number of Citizens Registered as entitled to vote for Representatives . . .	Number voting for Call of Constitutional Convention . . .
Adair	2,395	899
Allen	2,580	946
Anderson	2,123	1,067
Ballard	1,349	369
Barren	3,749	2,276
Bath	2,003	1,007
Bell	1,110	644
Boone	2,369	1,187
Bourbon	3,422	2,908
Boyd	1,986	1,581
Boyle	2,140	1,959
Bracken	2,156	1,522

Vote on Constitutional Convention—Continued.

COUNTIES.	Number of Citizens Registered as entitled to vote for Representatives . . .	Number voting for Call of Constitutional Convention . . .
Breathitt	1,469	721
Breckinridge	3,861	2,077
Bullitt	1,323	850
Butler	2,478	1,715
Caldwell	2,399	1,405
Calloway	1,855	928
Campbell	6,394	5,741
Carlisle	1,524	458
Carroll	1,783	1,430
Carter	2,402	1,508
Casey	2,187	1,227
Christian	4,739	2,930
Clark	3,023	2,060
Clay	1,761	1,053
Clinton	1,092	643
Crittenden	2,393	1,374
Cumberland	1,428	692
Daviess	4,573	2,719
Edmonson	1,413	483
Elliott	1,462	806
Estill	1,919	767
Fayette	6,308	4,630
Fleming	3,452	1,542
Floyd	1,943	1,227
Franklin	3,407	807
Fulton	1,402	750
Gallatin	953	711
Garrard	2,012	1,199
Grant	2,664	1,598
Graves	4,189	1,164
Grayson	3,347	1,323
Green	2,177	753
Greenup	2,139	1,658
Hancock	1,871	1,065
Hardin	3,506	1,992
Harlan	1,002	514
Harrison	2,926	1,473
Hart	3,299	2,235
Henderson	4,139	3,501
Henry	3,100	2,014

Vote on Constitutional Convention—Continued.

COUNTIES.	Number of Citizens Registered as entitled to vote for Representatives.	Number voting for Call of Constitutional Convention
Hickman	1,820	759
Hopkins	3,698	1,931
Jackson	1,261	694
Jefferson	19,966	14,851
Jessamine	2,410	1,648
Johnson	2,208	1,704
Kenton	5,257	4,853
Knott	802	376
Knox	1,574	839
Larue	1,956	1,153
Laurel	1,891	1,109
Lawrence	3,189	1,919
Lee	1,174	683
Leslie	690	406
Letcher	965	177
Lewis	2,276	1,853
Lincoln	2,872	1,869
Livingston	1,570	529
Logan	4,128	2,213
Lyon	1,347	696
Madison	4,439	3,127
Magoffin	1,295	954
Marion	2,848	1,807
Marshall	2,200	308
Martin	656	127
Mason	3,435	2,298
McCracken	2,614	1,269
McLean	1,434	755
Meade	1,846	1,064
Menefee	706	448
Mercer	2,594	1,861
Metcalfe	1,587	703
Monroe	2,008	1,003
Montgomery	2,368	1,552
Morgan	1,946	1,152
Muhlenberg	3,365	1,869
Nelson	3,227	1,615
Nicholas	2,099	1,493
Ohio	4,558	2,832
Oldham	1,237	591

Vote on Constitutional Convention—Continued.

COUNTIES.	Number of Citizens Registered as entitled to vote for Representatives	Number voting for Call of Constitutional Convention
Owen	3,251	2,308
Owsley	869	516
Pendleton	2,815	1,668
Perry	949	575
Pike	2,453	847
Powell	611	262
Pulaski	3,206	2,186
Robertson	849	591
Rockcastle	1,604	1,142
Rowan	966	325
Russell	1,331	510
Scott	3,022	2,008
Shelby	3,218	2,115
Simpson	2,390	1,329
Spencer	1,214	587
Taylor	1,893	930
Todd	2,507	1,470
Trigg	2,327	1,479
Trimble	948	783
Union	2,923	1,961
Warren	3,474	2,204
Washington	2,920	2,288
Wayne	2,257	1,096
Webster	2,510	2,005
Whitley	2,522	1,121
Wolfe	1,124	725
Woodford	2,423	1,817
Total	296,784	180,363

COMMONWEALTH OF KENTUCKY, }
OFFICE OF SECRETARY OF STATE. }

I, Geo. M. Adams, Secretary of State, within and for the Commonwealth aforesaid, hereby certify that, as appears from the official returns received at this office, the foregoing is a full and true statement, by counties, of the result of a regis-

tration made and an election held on the first Monday in August, 1889, under and in pursuance of the requirements of an act, entitled "An act for taking the sense of the good people of this Commonwealth as to the necessity and expediency of calling a convention to amend the Constitution, and provide for ascertaining the number of citizens entitled to vote for Representatives within this State," approved January 20, 1888.

Given under my hand and official seal this 30th day of December, 1889.

G. M. ADAMS, *Secretary of State.*

On motion of Mr. Glenn :

Ordered, That 100 copies of said statement be printed and laid upon the desks of the Senators.

The Senate, according to order, took up for consideration the joint resolution proposed on yesterday by Mr. Reynolds, entitled :

Resolution directing the Librarian to sell members of the General Assembly stationery.

(For resolution, see Senate Journal of yesterday.)

Which was twice read and adopted.

The Senate, according to order, took up for consideration the joint resolution proposed on yesterday by Mr. Glenn, entitled :

Resolution to appoint a committee to examine into the propriety of amending the law governing the Agricultural and Mechanical College, so as to admit State students free as to board and tuition.

(For resolution, see Senate Journal of yesterday.)

On motion of Mr. Reynolds :

Ordered, That said resolution be referred to the Committee on Education.

The Senate, according to order, took up the joint resolution proposed on yesterday by Mr. Glenn, entitled :

Resolution to appoint a committee to examine into the feasibility of the State's publishing her own text-books for use in public schools.

On motion of Mr. Kemp :

Ordered, That said resolution be referred to the Committee on Education.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 3, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Ben F. Atchison, Jefferson county.
S. B. Bottom, Marion county.
O. L. Bradley, Fayette county.
Finley F. Bush, Jefferson county.
Edmund Sehon Brewster, Jefferson county.
Jno. C. Brent, Bourbon county.
John F. Butler, Floyd county.
Jno. W. Croke, Jr., Madison county.
E. E. Carley, Jefferson county.
H. R. French, Montgomery county.
Grant Green, Jr., Powell county.
F. M. Gillstrap, Ohio county.
Chas. A. Garcin, Jefferson county.
A. Gernlein, Jr., Jefferson county.
F. P. Jenkins, Jefferson county.
Robert J. Jufer, Laurel county.
H. C. Kauffman, Garrard county.
Shelby Kinkead, Fayette county.
W. P. Lee, Jefferson county.
G. W. Lail, Harrison county.
Ed. M. Louis, Jefferson county.
John W. Layne, Floyd county.
Orie Lebus, Harrison county.
John T. Middleton, Shelby county.
H. C. McDowell, Fayette county.
H. Clay McKee, Montgomery county.
E. S. Porter, Jefferson county.
J. Geo. Ruckstuhl, Jefferson county.
U. C. Royse, Fleming county.
George Stoll, Fayette county.
Frank P. Taylor, Jessamine county.
J. W. Throckmorton, Harrison county.
G. P. Theobald, Jefferson county.
Shelby Vannatta, Shelby county.
J. S. Withers, Harrison county.

Jesse Woodruff, Fayette county.
John J. Barret, Jefferson county.
S. P. Debann, Mercer county.
I. B. Hart, Henderson county.
Webb Johnson, Clark county.
J. R. Leslie, Monroe county.
Wallace W. Morris, Jefferson county.
S. R. Norman, Spencer county.
Everett Osborne, Nelson county.
H. W. Pitt, Nelson county.
Jno. O. Street, Todd county.
J. Thomas, Daviess county.
C. T. Wilson, Harrison county.
T. M. Waddy, Shelby county.
J. A. Cheek, Boyle county.
M. Duncanson, Jefferson county.
Robt. T. Gentry, Grant county.
Sylvester Rapier, Nelson county.
Albert Reutlinger, Jefferson county.
Garrett S. Wall, Mason county.
B. G. Witt, Henderson county.
B. F. Graziani, Kenton county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

The Sergeant-at-Arms announced the following appointments, viz: H. Lloyd Watson to be Janitor; O. M. James to be Keeper of Cloak-room; Alex. Meador, James Mulligan, G. B. Pieratt, Ivy Glenn and Fred W. Castle (the latter being the selection of the Speaker) to be Pages.

Mr. Reynolds moved the following resolution, viz:

Resolved, That the Public Printer and Binder be, and he is, directed to print two hundred and fifty copies of the Standing Committees of the Senate, and that a copy of them be placed upon the desk of each Senator and the officers of the Senate, and, if requested for, that a copy be furnished to each member and officer of the House.

Which was twice read and adopted.

Mr. Smith read and laid on the table the following joint resolution, viz:

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That there is hereby created a joint Committee on

Constitutional Convention, to be composed of four Senators to be appointed by the Speaker of the Senate, and five Representatives to be appointed by the Speaker of the House of Representatives, whose duty it shall be to consider all matters, bills and resolutions pertaining to the call of a Constitutional Convention.

2. This resolution shall take effect from its adoption.

Which, under the rule, lies one day on the table.

Mr. Smith moved to dispense with the rule of the Senate in order to take up said resolution for consideration.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

On motion of Mr. Lindsay, leave of absence, indefinitely, was granted Messrs. Cockrell, Patteson, Huff, Dickerson, Peterman, and the Sergeant-at-Arms.

Leave was granted to bring in the following bills:

On motion of Mr. Anderson—

1. A bill to call a convention for the purpose of amending or changing the Constitution of Kentucky.

On motion of same—

2. A bill, entitled "An act to amend an act, to amend an act, entitled 'An act to incorporate the Shelby Loan Company.'"

On motion of Mr. Kemp—

3. A bill to incorporate the Farmers' Tobacco Bank, of Fulton, Kentucky.

On motion of Mr. Wortham—

4. A bill, entitled "An act to amend section 1, article 29, of chapter 29 of the General Statutes, entitled 'Crimes and Punishments.'"

On motion of same—

5. A bill, entitled "An act to regulate appeals in equity cases."

On motion of same—

6. A bill, entitled "An act to require the Commissioners of the Sinking Fund to perform the duties heretofore imposed upon the State Librarian by chapter 90 of the General Statutes, in relation to the public property and offices at the seat of government."

On motion of Mr. McCann—

7. A bill, entitled "An act for the benefit of Jas. T. Gorley, of the city of Louisville."

On motion of Mr. McCain—

8. A bill, entitled "An act for the punishment of pools, trusts and conspiracies in this Commonwealth."

On motion of Mr. Stewart—

9. A bill authorizing and directing the Secretary of State to compile, publish, and distribute the election laws of this State.

On motion of same—

10. A bill to declare unlawful all trusts and other combinations in restraint of production and trade, and providing for the punishment of persons entering into or acting in such trust or other combination.

On motion of same—

11. A bill to amend chapter 29, General Statutes.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Privileges and Elections the 2d and 9th; the Committee on General Statutes the 4th, 6th, 8th, 10th, and 11th; the Committee on Banks and Insurance the 3d; the Committee on Codes of Practice the 5th, and the Committee on Immigration and Labor the 7th.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled:

An act to amend the charter of the town of Catlettsburg;
And had found the same correctly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Reynolds read and laid on the table the following joint resolution, viz:

WHEREAS, Since the adjournment of the last General Assembly Hon. L. M. Martin, late State Senator from the Thirtieth District, has departed this life; now, therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That in his death the State of Kentucky has lost

a citizen whose integrity both in public and private life was without spot or stain, and whose wisdom and patriotism exhibited in his faithful service to his State while in the Senate of Kentucky, justly established him in the confidence and esteem of his fellow-citizens.

2. That the sympathy of this General Assembly is hereby tendered to his bereaved family.

3. That the Clerk of the Senate be, and he is hereby, directed to forward a copy of this resolution to his widow.

4. That as a further evidence of respect for the memory of the deceased, this body do now adjourn.

5. This resolution to take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

And then the Senate adjourned.

SATURDAY, JANUARY 4, 1890.

The Speaker being absent, Hon. D. H. Smith, at his request, took the Chair and presided.

The reading of the minutes of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution which originated in the Senate, entitled :

Resolution fixing the pay of the Door-keepers of the General Assembly.

That they had adopted a resolution, entitled :

Resolution allowing the Governor a Page during the session of the General Assembly.

Which was taken up, twice read and concurred in.

That they had passed bills of the following titles, viz :

An act extending the corporate limits of the city of Cloverport.

An act to incorporate the Hart County Deposit Bank and Trust Company.

An act to incorporate the Farmers' Exchange Bank, of Nicholasville.

An act to incorporate the Planters' State Bank, of Henderson.

An act to change and fix the time of holding the McCracken County Court of Claims.

An act to change and fix the time of laying the county levy and levying the ad valorem taxes for McCracken county.

An act to amend an act, entitled "An act creating the office of collector of taxes for McCracken county, and to be levied by the county court of said county for the exclusive purposes of the county, and to pay its debts and defining the duties of such collector."

An act to incorporate the Deposit Bank, of Waddy, Shelby county.

An act to repeal an act, entitled "An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county," approved April 14, 1886, authorizing the people of said county to vote on said repeal.

An act to incorporate the Shelby County Co-operative Missionary Society of the Christian Church.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The last-named bill was referred to the Committee on Religion and Morals,

And the remainder of said bills were severally ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Huff read and laid on the table the following joint resolution, viz :

WHEREAS, His Excellency, the Governor, in his message, has

called the attention of the General Assembly to the reported lawlessness in the counties of Harlan and Perry, and has recommended the repeal of the act creating the said counties of Harlan and Perry, all of which certainly demands close and careful investigation on the part of the General Assembly; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of five be appointed as follows: Two from the Senate and three from the House, to be named by their respective Speakers, whose duty and business it shall be to visit those counties and make careful investigation of all the facts and conditions, and report, in writing, as soon as practicable to the General Assembly, and to facilitate them in their duties they shall be allowed one expert reporter, and be fully empowered to send for persons and papers, and compel the attendance of witnesses.

2. This resolution to take effect from its adoption.

Which, under the rule, lies one day on the table.

On motion of Mr. English, Mr. Anderson was added to the Committee on General Statutes.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the Senate, entitled:

Resolution fixing the pay of the Door-keepers of the General Assembly;

And had found the same correctly enrolled.

Said resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Patteson moved the following resolution, viz:

Resolved, That George Kendrick is hereby appointed as an additional Page in this body.

On motion of Mr. Hendrick:

Ordered, That said resolution be referred to the Committee on Claims.

By unanimous consent, Mr. Breckinridge reported a bill, entitled:

A bill to authorize the county court of Boyle county to sub-

scribe to turnpike road companies in Boyle county, and levy a tax to pay for same.

Which was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

A bill to incorporate the Trigg County Farmers' Bank.

By same—

A bill to incorporate the Farmers' Tobacco Bank, at Fulton, Fulton county.

By Mr. English, from the Committee on Privileges and Elections—

A bill to amend an act, entitled "An act to incorporate the Shelby Loan Company."

By Mr. Terry, from the Committee on General Statutes—

A bill to amend the charter of the Westview Building Company.

By Mr. Conner, from the Committee on Propositions and Grievances—

A bill to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county.

Leave of absence, indefinitely, was granted Messrs. Goebel, Mulligan and Patteson.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Conner—

1. A bill, entitled "An act to incorporate the Walton Deposit Bank."

On motion of Mr. Stewart—

2. A bill to amend section 1, article 29, chapter 29 of the General Statutes, entitled "Crimes and Punishments."

On motion of same—

3. A bill to amend section 534 of the Civil Code of Practice.

On motion of same—

4. A bill to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county, Kentucky.

On motion of same—

5. A bill to reduce the cost of, and to secure a uniformity in the text-books used in the common schools of this Commonwealth.

On motion of same—

6. A bill to amend an act, entitled "An act to authorize the county levy court of Johnson, Floyd and Pike counties, in this Commonwealth, to apply their respective county levies on the property of the Charleston, Cincinnati and Chicago Railroad Company in payment of expenditures for right of way through said counties."

On motion of Mr. Wortham—

7. A bill, entitled "An act defining the crime of 'Misapplication of public moneys by county officers, and punishing persons for a violation thereof by confinement in the Penitentiary.'"

On motion of same—

8. A bill, entitled "An act to make it unlawful for any person in this Commonwealth to sell, give or barter cigarettes to certain children, or to others for their use, or to induce said children to use the same, and providing penalties for the violation thereof."

On motion of Mr. McCain—

9. A bill, entitled "An act to create a Board of Commissioners for the purpose of securing, for use in the common schools of the Commonwealth of Kentucky, of a series of text books; defining the duties of certain officers therein named, with reference thereto; defining certain misdemeanors; providing penalties for the violation of the provisions of said act, and repealing all laws in conflict therewith."

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on General Statutes the 2d, 3d, 7th and 8th; the Committee on Propositions and Grievances the 4th and 6th; and the committee on Education the 5th and 9th.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled :

An act for the benefit of L. D. Husbands and James Y. Kelly,

Reported the same with the expression of opinion that said bill ought to pass,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

Said bill was engrossed, and read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasury in favor of L. D. Husbands and James G. Kelly for the sum of one hundred and fifty dollars each, for their services and expenses as Commissioners named under an act of the Legislature to adjust and state the accounts of Newton Craig.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	D. L. May,	Phil Roberts,
Sam E. English.	J. W. McCain,	D. H. Smith,
G. W. Gates,	John McCann,	A. H. Stewart,
T. L. Glenn,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	J. S. Wortham—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

On motion of Mr. Hendrick, the Senate then adjourned until Tuesday next, at 10:30 o'clock A. M.

TUESDAY, JANUARY 7, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution and passed a bill, which originated in the Senate, of the following titles, viz :

Resolution of respect to the memory of Hon. L. M. Martin.

An act to incorporate the Farmers' Tobacco Bank, at Fulton, Fulton county.

That they had adopted a resolution, entitled :

Resolution providing for a joint session for the election of a State Librarian and Public Printer and Binder.

Which was twice read and concurred in.

That they had passed bills of the following titles, viz :

1. An act to amend an act to incorporate the Bank of Williamsburg, approved May 9, 1884.

2. An act to incorporate the Farmers' and Merchants' Bank, of Greenup.

3. An act to incorporate Simpson County Bank, of Franklin.

4. An act to incorporate the Trigg County Farmers' Bank, in the town of Cadiz.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That the first-named bill be referred to the Committee on Banks and Insurance, and the second, third and fourth-named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pieratt moved the following resolution, viz :

WHEREAS, The convict labor of Kentucky is under control of parties who have entered into contract for same with the Commissioners of the Sinking Fund, and said convict labor being a matter of public importance to the Commonwealth and the Senate, therefore, be it

Resolved, That the Commissioners of the Sinking Fund are

requested to furnish the Senate a copy of the agreement or contract entered into between said Commissioners and parties having in charge the labor of the convicts of the Kentucky Penitentiary.

2. This resolution to be in force from its passage.

Which was twice read and adopted.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 7, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

J. W. Allen, Bath county.
R. E. Ashbrook, McCracken county.
B. L. Banks, Adair county.
H. C. Franklin, Monroe county.
John M. Harbeson, Bracken county.
Jos. Levi, Jefferson county.
Chas. A. Marshall, Jefferson county.
R. Masterson, Nelson county.
M. A. Moore, Whitley county.
John McCutchen, Jr., Logan county.
W. W. Powell, McCracken county.
Fred Van Rensselaer, Daviess county.
J. W. Siler, Whitley county.
W. W. Sublette, Hickman county.
I. W. Twyman, Larue county.
C. G. Thixton, Daviess county.
W. S. Wilson, Henry county.
T. P. Young, Boyle county.
H. B. Caldwell, Logan county.
Charles C. Carter, Jefferson county.
T. M. Dora, Bracken county.
R. L. Green, Franklin county.
John G. Jefferson, Trigg county.
J. M. Terry, Jefferson county.
J. H. Boude, Bracken county.
J. O. Clore, Henderson county.
S. E. Hager, Magoffin county.
E. J. Hermann, Jefferson county.

John W. McKellapp, Lewis county.
 W. H. Owen, Daviess county.
 John Russell, Jr., Boyd county.
 T. B. Robertson, Graves county.
 Carl K. White, Nelson county.
 Chas. E. Meyer, Jefferson county.
 Jas. G. Caldwell, Jefferson county.
 Frederick Frische, Jefferson county.
 Horace S. Withers, Lincoln county.
 J. R. M. Roney, Bullitt county.
 Jas. D. Smith, Laurel county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
 FRANKFORT, January 7, 1890. }

Gentlemen of the Senate:

I hereby nominate, and with your advice and consent, will appoint the following-named persons as Commissioners of the Kentucky Institution for the Education of Deaf Mutes for the period of six years from January 10, 1890, and to succeed themselves: J. D. Powell, of Mercer county; Thos. McRoberts, of Boyle county; Geo. F. Lee, of Boyle county; J. W. Proctor, of Boyle; also Boyle O. Rodes, of Boyle county, and Samuel A. Newell, of Pulaski county, until January 11, 1892, to fill out the unexpired terms of John S. Vanwinkle and Geo. R. McKee, deceased.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Smith, from the Committee on Banks and Insurance—

A bill to incorporate the Farmers' and Merchants' Bank, at Elkton.

By Mr. Newman, from the Committee on Immigration and Labor—

A bill for the benefit of James T. Gorley, of the city of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Hays—

1. A bill to amend the charter of the Louisville Gas Company.

On motion of Mr. Stewart—

2. A bill to amend an act, entitled “An act to organize, supervise and maintain a common school in common school district No. 49 on John’s creek, in Pike county,” approved April 13, 1886.”

On motion of same—

3. A bill to incorporate the Bank Josephine, of Prestonsburg, Kentucky.

On motion of same—

4. A bill for the benefit of W. H. Maynard, sheriff of Pike county.

On motion of same—

5. A resolution authorizing and directing the employment of convicts of the Penitentiary in the construction of turnpikes in certain counties in this Commonwealth.

On motion of Mr. McCann—

6. A bill to incorporate the People’s Savings’ Bank and Trust Company, of Louisville, Kentucky.

On motion of Mr. Kemp—

7. A bill authorizing Duke Cayce Bowers, a minor, to transact business as a man.

On motion of Mr. Gates—

8. bill to incorporate the Bank of Whitesville, in Daviess county, Kentucky.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st, 3d, 6th and 8th; the Committee on Propositions and Grievances the 2d; the Committee on Claims the 4th; the Committee on Penitentiary and House of Reform the 5th; and the Committee on the Judiciary the 7th.

At 12 o'clock M. the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a Senator in the Congress of the United States to succeed the Hon. J. C. S. Blackburn, whose term of office expires on the fourth day of March, 1891.

The Speaker then announced that nominations for the office of United States Senator were in order.

Whereupon Mr. Smith nominated Hon. J. C. S. Blackburn as a suitable person to fill said office.

Mr. Huff nominated Hon. A. H. Stewart as a suitable person to fill said office.

There being no other nominations, the Speaker then announced that the Clerk would now proceed to take the vote, which resulted as follows, viz :

Those who voted for Mr. Blackburn, were—

W. H. Anderson,	R. G. Hays,	John McCann,
Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	D. H. Smith,
Sam E. English,	D. L. May,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham—22.
T. L. Glenn,		

Those who voted for Mr. Stewart, were—

J. P. Huff,	J. J. Paul,	Phil. Roberts—4.
J. H. Lunsford,		

The Speaker then announced that Hon. J. C. S. Blackburn having received a majority of all the votes cast, the Clerk will make such an entry on the Journal.

Which was done.

The Speaker laid before the Senate a communication from W. L. Jackson, Circuit Judge of the Jefferson Circuit Court, replying to certain charges contained in the Governor's message.

Said communication was taken up and read as follows, viz :

To the General Assembly of the Commonwealth of Kentucky :

While absent from Kentucky during the Christmas holidays, visiting members of my family in the West, I received, on January 2d, a newspaper containing the Message of Governor Buckner, in which, without warning or notice, he so ruthlessly and malignantly assails my judicial and personal character.

I immediately returned home, and at once address to you this communication, which I respectfully request may be read, printed and referred to that committee for action to which the subject pertains.

In the outset I fully concede that it is the constitutional duty and prerogative of the Governor "to give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration, such measure as he may deem expedient." (Section 12, article 3, Constitution of Kentucky.) But this carries with it no right, ignorantly and unjustly, to use the position and power of the Executive Office and the medium of a Message to assail the judiciary or its decisions, or to endeavor by cheap demagogery, to influence the decisions of tribunals, who have under consideration the very questions discussed in such Message, or by this indecent assault upon the manhood of the judiciary, to endeavor to force them to register the wishes of the Governor rather than the dictates of law and right.

Seventeen years of continuous, unremitting service upon the bench in Kentucky, entitled me to the ordinary amenities and decencies of life, and this, apart from those claims which close personal and official relations between Governor Buckner and myself seem to require.

In view of my past career, of the high positions of trust and honor held by me in my native State, Virginia ; of two decades of service in the largest criminal court in Kentucky, in this, my adopted State, in the bosom of which I have purposed my

dust shall rest ; with a reputation hitherto unassailed and unsullied ; frequently called upon by Governors McCreary, Knott and Blackburn, for twelve years past, to render special judicial service in those portions of Kentucky termed by Governor Buckner, "lawless portions of the State," and rendering this service to the State, not as a right, but in discharge of that obligation, which every conscientious officer owes to the people amongst whom he lives. Spending months of the most inclement seasons of the year in these remote districts, where I was denied those comforts and conveniences which one of my years and of an eventful life might desire, in the face of the protest of many warm friends, who felt that I was unnecessarily endangering my life by exposure to weather and lawlessness ; bringing order out of judicial chaos in these places, and finding the people ready and willing, upon my appearance among them, to submit to the majesty and supremacy of the law ; and for these acts, receiving, in all instances, the affection of the people among whom I was sent, and the commendation and approval, not only of the officials, but the people of the State.

In view of all this, which the Governor, either willfully forgets, or for a purpose ignores, I submit to the brave, generous, manly people of Kentucky, if it was honorable, fair or decent, for Governor Buckner to assail my official life and character without a word of explanation or suggestion from me.

The Governor makes four specific complaints against me, which I will proceed to take up in the order named by him.

THE MAZZONI CASE.

1st. In this case the judgment, by my order, on motion of the Commonwealth's Attorney, was suspended. It is doubtless true, as the Governor says, that Mazzoni was "a disreputable character." He, Boggs and Loomis, had viciously assaulted Rev. Steve P. Holcombe. Boggs and Mazzoni were first tried and found guilty, fined one thousand dollars each, and imprisoned in the county jail for five years. Loomis was subsequently tried and awarded the same penalty. Afterwards Boggs was tried on a charge of grand larceny, and three previous convictions for

felonies. He was found guilty and sentenced to imprisonment for life; he is now in the Penitentiary, where he will remain until death, unless pardoned by the Governor. Loomis has been pardoned by the present Governor. This was done at the request of Mr. Holcombe and others, including myself. I signed this recommendation at the earnest solicitation of Mr. Holcombe, against my own judgment, but I yielded to Mr. Holcombe's appeals for mercy, who, in this, as in many other ways, exhibits the spirit of his Savior.

Mazzoni was in jail, and had been there more than a year. As the June term of my court, in 1888, was about to end, and the summer vacation of two-and-a-half months about to commence, the Commonwealth's Attorney made a motion for the suspension of a judgment, coupled with a statement about some one dying in the last stages of consumption and in jail. The name I did not fully catch, or, if I did, it was not connected with the crime against Mr. Holcombe. Without due examination and consideration, I directed the order to be entered. The Commonwealth's Attorney believed his statement to be true.

Subsequently I learned it was Mazzoni whose judgment had been suspended, but I never knew that he was well and in the work-house at Cincinnati, until Mr. Hardin, the Attorney-General, called upon me, *not in court, but in chambers*, and gave me such information. It did not require, as the Governor so sensationally puts it, the "urgent instance" of the Attorney-General to set aside this order. So soon as the facts were communicated to me, I gladly and promptly set aside the order and issued a bench order for Mazzoni, and upon this warrant the Governor procured his requisition for Mazzoni, which secured his return to Kentucky, and the Louisville jail, where he is now serving out his sentence.

Without any suggestion whatever from this officer, I stated to him, that on reflection I was satisfied that my order in this case had been an error, and that I was greatly rejoiced that the opportunity was now given me to repair that error by the re-arrest and imprisonment of Mazzoni.

The Attorney-General ought to have, and doubtless did, communicate the substance of this interview to Governor Buckner.

I then conceded, and now concede, that I did not have control over the sentence of Mazzoni, subsequent to the term at which it was entered. While I frankly state to the General Assembly that this was an error, yet it must be remembered that in a period of seventeen (17) years, covering a trial of nearly eleven thousand (11,000) cases, in the Criminal Court of Kentucky, where twice as many cases are tried as in any other court of like jurisdiction in Kentucky, what Judge can hope to prove infallible? This single act, in the most unfavorable aspect, was an unconsidered order made in the belief that it was an act of mercy to a dying wretch, whose last days on earth were made doubly terrible by the heat of summer and the inconvenience and horror attendant upon prison life, and even so infallible a man as Governor Buckner, in his own opinion, could impute nothing more than an oversight, which was long since, and now is, candidly confessed.

2d. It is charged by the Governor, "that there is another practice of this (my) court, which illegally diverts money from the public Treasury and appropriates it to the use of officials of the court."

The State Inspector states this as the result of his investigations, says the Governor. This new officer is in another part of the message highly lauded and declared to be indispensable. I have not the honor of his acquaintance. He never made himself known to me and never announced his mission. His entry and his exit must have been that of a spy. If he makes no better inspections in other cases than he has in mine, he should be discharged. The gravamen of the charge is that it is illegal to set aside a fine upon payment of fees and costs. I must be permitted to differ with the State Inspector and His Excellency.

The Governor says "that this," meaning the practice aforesaid, "seems not to have been an uncommon practice in this court." A State paper, if not able, should be truthful. A diligent search of the records of the Jefferson Circuit Court since 29th January, 1873, the time when I became its Judge, running through a period of about seventeen years, shows only fourteen (14) cases of the character referred to, the aggregate fines amounting to \$2,280, is not an average of one a year, although it is true that eight of these cases occurred in one

year. Four of the cases were against a lightning-rod man, who, under advise of counsel, refused to take out State license, but who reconsidered, and before trial paid the tax and procured license. On recommendation of the Auditor's Agent and the Commonwealth's Attorney, the cases were settled and dismissed on payment of fees and costs. The grounds on which said cases were dismissed were in writing and filed. The power of a prosecuting attorney to enter a nolle prosequi, or dismissal on grounds in writing filed, is well settled.

I had occasion to examine all the authorities, and to so decide. In the case of Bills against the Commonwealth the written opinion in the case was published and commended in several leading law journals. The other ten cases were where the court should have given peremptory instructions to find for the defendants, or, in trials on the law and facts, had doubts as to the judgments rendered, and was inclined to grant new trials, and the Commonwealth's Attorney, not believing that he could strengthen the cases on subsequent trials, consented to the adjustment. In all of these fourteen cases but one the orders were made during the same term the judgments were rendered. I am not aware that the question has ever been decided by the Court of Appeals, but I do know that circuit judges, since the foundation of the Commonwealth, have claimed or exercised the discretion.

Indeed, the Governor, in his message, admits the law here stated when he so earnestly recommends the Legislature to enact laws restraining Commonwealth's attorneys from exercising the power. As judge I must deal with the law as it is. As it now is, in my judgment, the Commonwealth's Attorney represents the State. He, under the restrictions of the law, regulates the disposal of the cases of the Commonwealth. The court does not prosecute; it stands between the Commonwealth and the accused.

Codes and statutes do not contain all the law. Courts, in the administration of justice, have certain inherent powers; these are to be exercised in furtherance of justice.

3d. Your attention is called by the Governor to the fact that, by the Auditor's report, it is shown "that from the county of Jefferson, including the large population of Louisville, where large fines are imposed by the circuit court, only five hundred

dollars and forty-seven cents were paid into the Treasury in 1888 on account of fines," and comparing this collection with that in sparsely settled counties in the State. The fact is, that during said year of 1888 the collection of fines in Jefferson Circuit Court was not large but small. Certain gambling was made a felony, and the jurisdiction of said court was limited to Jefferson county in many finable cases, and until the two acts, entitled "An act defining the jurisdiction of the Jefferson Circuit Court," and "An act defining the jurisdiction of the City Court of Louisville," each of which took effect from and after first day of September, 1888, the Jefferson Circuit Court had jurisdiction of but few indictable misdemeanors committed within the corporate limits of the city of Louisville.

An accurate statement, copied from the records of the Clerk's office of the Jefferson Circuit Court, show that there were forty-nine judgments rendered from June 30th, 1887, to June 30th, 1888, the time which was covered by the State Inspector and Examiner, and these are all accounted for as follows:

24 were served out in jail, amount	\$2,100
8 were set aside upon payment of fees and costs	1,030
5 were remitted by the Governor	1,950
2 execution and return no property found	200
1 levy and property bought by the State	50
1 not found	50
8 paid	560
49 cases. Total	\$5,940

By right to exercise the power of setting aside fines, etc., has been discussed in the foregoing part of this communication.

Was it not incumbent upon the Governor, before making statements in regard to this matter, derogatory to me, to inform himself of the true condition of the law concerning the Jefferson Circuit Court, and to have honestly stated, that the reason so few fines were collected from the Jefferson Circuit Court, and to have honestly stated that the reason so few fines were collected from the Jefferson Circuit Court was, that jurisdiction for offenses, in which these fines and penalties were imposed in other counties had been taken from Jefferson Circuit Court and conferred upon the Louisville City Court?

4th. In regard to the funds ordered by me into the possession of the Trustees of the Jury Fund.

Prior to the passage of the act, entitled "An act to amend the revenue laws of the Commonwealth," approved May 17, 1886, known as Hewitt bill, a casual inspection of sections 8 and 25, of chapter 62, of the General Statutes, will convince any one of the propriety of my orders. The correctness of my rulings under said chapter, was repeatedly tested, and my decisions were affirmed in three manuscript opinions of the Court of Appeals, two of which cases are styled Commonwealth against Cain, and one Commonwealth against Field.

After the passage of the Hewitt bill, the question was involved in some doubt, but I only made the orders after careful study and examination of the law.

The State Inspector and Examiner called the Governor's attention to these orders, and he, differing from me in my construction of the law, both prior to and subsequent to said act aforesaid, directed the Attorney-General to institute actions to surcharge and falsify the settlement made by Charles Godshaw, Trustee of the Jury Fund. In obedience to that direction the Attorney-General instituted, in the name of the Commonwealth, two actions against Godshaw and his sureties, and, after full argument, my views were concurred in by the able Judge of the Franklin Circuit Court, the fiscal court of the Commonwealth, which was the forum chosen by the Commonwealth for the hearing of said cases.

The judgments in these two cases were appealed from, and are on the appearance docket of the Court of Appeals, and set for February 13th, 1890. Afterwards, upon full argument, I rendered an opinion, adhering to my former views, and these two cases are pending upon appeal in the Appellate Court, and are set for hearing February 15th 1890.

The Governor knows this. It is hardly necessary for me to suggest to your honorable body the manifest impropriety of the Governor criticising judicial decisions, and the great abuse of his power and the outrage perpetrated upon a co-ordinate branch of the government when he attempted so to do; but the Governor seems utterly oblivious to the divisions of the powers of our State Government.

Moreover, Mr. Godshaw has given bond of undoubted strength, and, besides, is sufficiently responsible himself to

make good any sum that may be found against him in the event of a reversal of said judgments.

The judicial is supposed to, and should be, the conservative department of the State. Its independence is essential to liberty, happiness and life; destroy that, and our free institutions are imperiled.

This assault of the Governor at least menaces this independence. The fear of such assaults may induce some Judges to fawn and truckle to arbitrary power. I thank God that "I am made of sterner stuff."

I believe that I have now candidly and fully stated the facts concerning the complaints so dramatically and sensationally made by Governor Buckner against me.

The motives which prompted this vicious and ungenerous attack are enigmas to me, unless it be that the Governor, by the reckless and unscrupulous use of his prerogatives as the Executive of Kentucky, feels that he can wantonly assail the official and personal life of any man who will not blindly register his decrees, and by these attacks hope to make for himself that cheap political capital upon which to found further and future political advancement.

During the period I have been Judge of the Jefferson Circuit Court, the proceedings show the disposal of 10,735 cases, an average of 631 cases per annum, or $2\frac{1}{2}$ cases for every judicial day of that time, and with so few errors and reversals in these multiple and multiform proceedings, I believe it is a record upon which any man or judge can safely plant himself, and ask the approval of his conscience and his people.

No sadder day for Kentucky will ever dawn than that upon which it is accepted, as either law or precedent, that a judge's opinion or judgments shall be formed or expressed according to Executive demands, or that any judge who does not decide cases or enter orders according to the eternal principles of justice or right, but in obedience to a Governor's wishes, when a judge is to be made the object of gubernatorial invective or spleen.

I hold my commission from the people of Kentucky. I am elected by the sovereign votes of the people of my judicial district. My opinions and decrees, my orders and judgments by

law, are made the subject of appeal and review by higher courts chosen in the same way, and to assail them in any way when pending is an imputation upon the character, honor and respect of the bench.

If this great wrong is to go on unredressed, it will not be long until there will be no further need for juries, judges or courts of last resort, but all matters shall be determined and adjudged by the Governor, and when he shall have usurped and controlled every function of the government, then the people will realize and awaken to their danger.

The Governor having failed to have his wishes entered as judgments in the Jefferson Circuit Court and the Franklin Circuit Court, in this attack upon me serves notice upon the Judges of the Court of Appeals that an independent judiciary is not wanted, and that cases not decided to his views subject judges sitting in them to Executive abuse and assault.

Upon these principles no judge's official character and life are safe. These, hitherto held so sacred, and dearer than all else, are now made the sport, play-thing and political stepping-stone of ambitious Executives.

The whole matter, in so far as I am concerned, is fully before the General Assembly.

I request the widest and closest scrutiny of all my acts. It will be found that instead of my usurping the Executive prerogatives, that the Governor is endeavoring to usurp judicial powers, and to intimidate and terrorize the judicial department of our government.

I have the honor to be, very respectfully,

Your obedient servant,

WM. L. JACKSON.

On motion of Mr. Newman :

Ordered, That said communication be referred to the Committee on the Judiciary, and that 250 copies thereof be printed and laid upon the desks of the Senators.

Mr. Huff read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee, consisting of three from the Senate and five from the House, be appointed by their respective

Speakers to examine the records and take into consideration the advisability of abolishing the office of Public Printer and Binder, and letting the same by contract to the lowest and best bidder, and that pending the report of this committee the election of Public Printer and Binder be deferred.

2. This resolution to take effect from its passage.

Which, under the rule, lies over one day.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, The amendments and supplemental acts to chapter 95 of the General Statutes provides that the pay of the Pages of the Senate and House of Representatives be fixed at two dollars per day, the same to be certified by the Clerks of said Houses respectively, but with the proviso that there shall not be more than three Pages for the use of the Senate and four for the House ; and, whereas, there are exceeding said number in each House at this session ; and, whereas, it is right that the pay of said Pages be certified alike ; and, whereas, it further appears that some of the Pages have served from the beginning of the session, but the Journals do not indicate their appointment, nor were they appointed until some days later, and the Clerk can only issue certificates from the time the Journals show their appointment, yet it is right they should be paid from the time of their service ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Clerks of the two Houses be, and they are hereby, authorized and empowered to issue certificates to the Pages at the rate of two dollars per day, and to as many as have been appointed, and will issue certificates to them from the time of their actual services as Pages.

2. This resolution shall take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

The Senate, according to order, took up for consideration the joint resolution heretofore offered by Mr. Huff, entitled :

Resolution providing for the appointment of a joint committee to investigate lawlessness in Harlan and Perry counties, and report thereon.

(*For resolution, see Senate Journal, January 4th.*)

On motion of Mr. Stewart :

Ordered, That the further consideration of said resolution be

postponed, and that said resolution be made the special order of the day for Thursday next, January 9th, at 11 o'clock A. M.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolution which originated in the Senate, of the following titles, viz :

An act to incorporate the Farmers' Tobacco Bank, at Fulton, Fulton county ;

A resolution of respect to the memory of Hon. L. M. Martin ;

And had found the same correctly enrolled.

Said bill and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

On motion of Mr. Wortham :

Ordered, That the Senate adjourn until to-morrow, at 11 o'clock A. M.

WEDNESDAY, JANUARY 8, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the House of Representatives, entitled :

An act to amend the charter of the town of Catlettsburg.

That they had adopted resolutions of the following titles, viz :

Resolution calling upon the President of the Agricultural and Mechanical College for certain information.

Resolution calling upon the Auditor of Public Accounts for certain information concerning taxes collected for the Agricultural and Mechanical College.

Which were referred to the Committee on Education.

Mr. Lindsay, from the Committee on Rules, made a report in writing,

Which was read as follows, viz :

JOINT RULES.

JOINT RULE 1. When bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 2. After a bill shall have passed both Houses, it shall be duly enrolled on paper, and under the signature of the Clerk of each House respectively.

JOINT RULE 3. When bills are enrolled, they shall be examined by a joint committee of three from the Senate and five from the House of Representatives, appointed as a standing committee for that purpose ; one of whom on the part of the Senate, and two from the House of Representatives, shall be sufficient to compare the enrolled with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, make their report forthwith to their respective Houses.

JOINT RULE 4. After examination and report, each bill shall be signed in their respective Houses, first by the Speaker of the House of Representatives and then by the Speaker of the Senate.

JOINT RULE 5. After a bill shall have been thus signed by each House, it shall be presented by said committee to the Governor for his approbation—it being first indorsed on the back of the bill, certifying in which House the same originated ; which indorsement shall be signed by the Clerk of the House in which the same did originate, and shall be entered on the Journal of each House. The said committee shall report the day of presentation to the Governor, which time shall be also carefully entered upon the Journal of each House.

JOINT RULE 6. All bills and resolutions passing from one

House to the other shall be considered in the orders of the day when reported, unless referred to a committee.

JOINT RULE 7. All orders and resolutions which are to be presented to the Governor for his approbation shall also be previously enrolled, examined and signed, and shall be presented in the same manner and by the same committee as is provided in cases of bills.

JOINT RULE 8. Every order, resolution, or vote to which the concurrence of the Senate shall be necessary, shall be read to the House and laid on the table on a day preceding that in which the same shall be moved, unless the House shall otherwise expressly allow.

JOINT RULE 9. When any papers may come officially before either branch of the Legislature, or any communication from the Governor, and are proper to be acted upon by both Houses, the House before which such papers are laid, or to whom such communications are made, shall, as soon as they have proceeded and acted on the same, lay them before the other House.

JOINT RULE 10. When there is a communication from the Governor, or a message from one House to the other, it shall be received without delay; if the House be in committee the Speaker shall resume the chair, and if any member be speaking he shall suspend his remarks until the communication or message be received.

Rules for the Government of the two Houses when in Joint Session.

JOINT RULE 14. A Joint Assembly of the two Houses shall be held in the Hall of the House of Representatives. The Speaker of the Senate shall occupy a seat on the right of the Speaker of the House, preside, preserve decorum, put questions, and decide all points of order; be governed by the Rules of the Senate, where they are applicable, and by parliamentary usage. The Clerk of the Senate shall be Chief Clerk, assisted by the Clerk of the House. They shall enter on the Journal of their respective Houses the proceedings of the Joint Assembly. In recording any vote the names of the Senators shall be first called, and all questions shall be determined by a majority of all the votes

cast. The Sergeant-at-Arms of the Senate, assisted by the Sergeant-at-Arms of the House, shall perform the duties of that office to the Joint Assembly. A quorum for the transaction of business shall consist of a majority of all the members elected to both Houses.

RULES OF THE SENATE.

Touching the Duties of the Speaker.

1. He shall take the Chair every day, precisely at the hour to which the Senate shall have adjourned the preceding day ; and on the appearance of a quorum, shall cause the Journal of the preceding day to be read.

2. He shall preserve decorum and order ; may speak to points of order in preference to Senators on the floor, rising from his chair for that purpose. He shall decide questions of order, subject to an appeal to the Senate on request of any two Senators.

3. He may state a question sitting, but shall rise to put a question to the vote of the Senate.

4. Questions shall be distinctly put in this form, viz: "All you who are of opinion that (as the question may be), say AYE. You of the contrary opinion, say No." If the Speaker doubt, or a division be called for, the Senate shall divide ; those in the affirmative shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two Senators, one from each side, to tell those in the affirmative and the negative ; and the result being reported, he shall rise and state the decision to the Senate.

5. When any motion or proposition is made, the question, "Will the Senate now consider it?" shall not be put, unless it be demanded by some member ; which question shall be decided without debate.

6. The Speaker may examine and correct the Journal before it is read.

7. He shall have the right to name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond two legislative days.

8. All committees shall be appointed by the Speaker, unless

otherwise especially directed by the Senate, in which case they shall be appointed by a vote ; a plurality of the votes shall be sufficient to determine the choice.

9. In all other cases of voting by the Senate, for its officers or agents, a majority of the votes given shall be necessary to a choice.

10. All writs, warrants and subpoenas issued by order of the Senate, or its committees, shall be signed by the Speaker, under his hand, and attested by the Clerk.

11. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or chairman of the committee of the whole shall have power to order the same to be cleared.

Organization of the Senate.

12. Four members of the Senate may adjourn from day to day, when a sufficient number has not met to proceed to business ; and eight Senators, together with the Speaker, may call the Senate, send for absent Senators, and make an order for their censure and fine.

13. The Speaker shall appoint an Enrolling Clerk and Assistant. The Enrolling Clerk shall take charge of all Senate bills so soon as they are reported back from the House as having been passed and are ready to be enrolled, keep an accurate account of, and carefully preserve all of them, cause them to be plainly and legibly enrolled, without blots or erasures, and present same for the Speaker's signatures.

14. The following Standing Committees, to be composed of five or more members each, shall be appointed by the Speaker, or elected by the Senate, at the commencement of each session of the General Assembly, viz :

First. A Committee on Agriculture and Manufactures—who are to take into consideration all matters relating to the condition and improvement of the agriculture and manufactures of the Commonwealth, and report their proceedings, together with their opinion, to the Senate.

Second. A Committee on Appropriations—to whom shall be referred all applications involving the appropriations of money from the State Treasury for any public or general purpose, and they shall report their proceedings and opinion thereon to the Senate.

Third. A Committee on Banks and Insurance—to whom shall be referred all matters relating to banks, banking and insurance, and whose duty it shall be to take into consideration all such matters, and report the proceedings and opinion in reference thereto to the Senate.

Fourth. A Committee on Charitable Institutions—whose duty it shall be to take under consideration all matters relating to or connected with the charitable institutions of this Commonwealth, and report their proceedings and opinion to the Senate.

Fifth. A Committee on Claims—whose duty it shall be to investigate all claims and demands against the Commonwealth, and report their proceedings and opinion thereon to the Senate.

Sixth. A Committee on Codes of Practice—whose duty it shall be to take under consideration all questions relating to the Codes of Practice, and report their proceedings and opinion thereon to the Senate.

Seventh. A Committee on Courts of Justice—whose duty it shall be to take into consideration all matters relating to or affecting the courts of justice of this Commonwealth, and report their proceedings and opinion to the Senate.

Eighth. A Committee on Education—whose duty it shall be to take under consideration all matters relating to education and public schools in the Commonwealth, and report their proceedings and opinion in reference thereto to the Senate.

Ninth. JOINT COMMITTEE—A Committee on Enrollments—whose duty it shall be to examine and see that all acts and resolutions which shall have passed both Houses of the General Assembly are correctly enrolled, and present the same for the signatures of the respective Speakers.

Tenth. A Committee on Executive Affairs—whose duty it shall be to take under consideration all matters relating to the executive department of the government of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

Eleventh. A Committee on Federal Relations—whose duty it shall be to take under consideration all matters relating to federal relations, and report their proceedings and opinion thereon to the Senate.

Twelfth. A Committee on Finance—whose duty it shall be to take under consideration all matters relating to or affecting the assessment and collection of the revenue and the affairs of revenue officers of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

Thirteenth. A Committee on General Statutes—whose duty it shall be to take under consideration all matters relating to or affecting the General Statutes, and report their proceedings and opinion thereon to the Senate.

Fourteenth. A Committee on Immigration and Labor—whose duty it shall be to take under consideration all questions relating to Immigration or Labor, and report their proceedings and opinion thereon to the Senate.

Fifteenth. A Committee on Internal Improvements—whose duty it shall be to take under consideration all matters relating to the public highways and navigable streams of the Commonwealth, and report their proceedings and opinion thereon to the Senate.

Sixteenth. A Committee on the Judiciary—who are to take into consideration all matters relating to courts of justice, not herein otherwise provided, and such other matters as may, from time to time, be referred to them, and report their proceedings, with their opinion thereon, to the Senate; and are to inspect the Journal of the preceding session, and draw up a statement of the matters then pending and undetermined, and the progress made therein; also to examine what temporary laws have expired since the last session, and inspect such temporary laws as are near expiring, and report the same to the Senate, with their opinion which of them ought to be revived and continued.

Seventeenth. A Committee on the Library and Public Buildings and Offices—whose duty it shall be to take under consideration all matters relating to the Library and Public Offices and Buildings, and report their proceedings and opinion thereon to the Senate.

Eighteenth. A Committee on Military Affairs—whose duty it shall be to take under consideration all matters relating to the militia and military affairs of the Commonwealth, and report their proceedings and opinion to the Senate.

Nineteenth. A Committee on Penitentiary and House of Reform—whose duty it shall be to take under consideration all matters relating to the Penitentiary and House of Reform, and report their proceedings and opinion to the Senate.

Twentieth. A Committee on Printing, to consist of five members, whose duty it shall be to take into consideration all matters pertaining to the public printing and binding and report thereon to the Senate.

Twenty-first. A Committee on Propositions and Grievances—whose duty it shall be to take under consideration all propositions and grievances that may be referred to them, and report their proceedings and opinion thereupon to the Senate.

Twenty-second. A Committee on Privileges and Elections—whose duty it shall be to take under consideration all matters relating to or affecting the election and return of Senators to serve in the General Assembly, and report their proceedings and opinion thereon to the Senate.

Twenty-third. A Committee on Public Expenditures—whose duty it shall be to take under consideration all questions relating to the public expenditures not otherwise specifically provided for in these committees, and report their proceedings and opinion thereon to the Senate.

Twenty-fourth. A Committee on Religion and Morals—whose duty it shall be to take under consideration all matters relating to or affecting religion and public morals in the Commonwealth, and report their proceedings and opinion in relation thereto to the Senate.

Twenty-fifth. A Committee on Railroads—to whom shall be referred, and whose duty it shall be to consider, all matters relating to or affecting the railroads of this Commonwealth, including the incorporation, organization, and management of all railroads now or hereafter to be constructed, and report their proceedings and opinion in reference thereto to the Senate.

Twenty-sixth. A Committee on Rules—of which the Speaker shall be *ex officio* Chairman, and whose duty it shall be to take under consideration all matters relating to the rules for the government of the Senate, and, with a like committee from the House, all matters relating to the rules for the government of

the two Houses, and report their proceedings and opinion thereon to the Senate.

Twenty-seventh. A Committee on the Sinking Fund—whose duty it shall be to take under consideration all matters relating to or connected with the Sinking Fund, and report their proceedings and opinion in relation thereto to the Senate.

Twenty-eighth. A Committee on Public Health—whose duty it shall be to take under consideration all matters relating to the public health, and report their proceedings and opinion thereon to the Senate.

Twenty-ninth. A Committee on Retrenchment and Reform—whose duty it shall be to take under consideration all complaint of excessive public expenditures.

15. Select Committees shall consist of three members only, unless otherwise ordered by the Senate. No Select Committees shall be appointed unless by a vote of two-thirds of the Senators present. Entered on the Journal.

Order of Business of the Day.

16. As soon as the Journal is read and approved the Speaker shall call for petitions and leaves. Petitions and leaves having been presented and disposed of, reports, first from the standing and then from select committees, shall be called for; next, motions and resolutions; and if on any day the whole of the committees have not been called, or, being called, shall not have finished their reports, or any report shall not have been disposed of, the Speaker, on the next day, shall commence where he left off on the preceding day, and so on till all are called.

17. The business specified in the preceding rules shall be done at no other part of the day than between the meeting of the Senate and 12 o'clock M., except by leave of the Senate.

18. In all elections there shall be a previous nomination.

19. It shall be in order for the Committee on Enrollments to report at any time.

20. It shall be the duty of the Speaker to direct the Door-keeper and Sergeant-at-Arms to exclude all persons from the bar of the Senate, except the Governor, members and ex-members and attaches of the General Assembly, members of the

several departments of State Government, such newspaper reporters as may be authorized by the Speaker to be present, and members of the Federal Congress.

Of Decorum and Order.

21. When a Senator is about to speak in debate or deliver any matter to the Senate, he shall rise from his seat and respectfully address himself to "Mr. Speaker," and, being recognized by the Speaker, may proceed, but shall confine himself to the question under debate, and avoid personality.

22. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the Speaker shall, or any member may, call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, shall decide on the case; if there be no appeal, the decision of the Speaker shall be submitted to. If the decision be in favor of the Senator called to order, he shall be at liberty to proceed; if otherwise, he shall not be at liberty to proceed without leave of the Senate; and if the case require it, he shall be liable to the censure of the Senate.

23. If a Senator be called to order by another for words spoken in debate, the exceptional words shall be immediately taken down in writing by the Clerk, that the Speaker be better enabled to judge of the matter.

24. No Senator shall designate another Senator by name.

25. When two or more Senators rise at once, the Speaker shall name the Senator who first addressed the Chair as the one entitled to the floor.

26. No Senator shall speak more than twice to the same question without leave of the Senate, nor more than once until every Senator choosing to speak shall have spoken.

27. Whilst the Speaker is putting any question or addressing the Senate, none shall walk out or across the chamber; nor when a Senator is speaking shall any other Senator entertain private discourse, nor shall he pass between him and the Chair.

28. No Senator shall vote on any question in the event of which he is immediately or particularly interested, or in any case where he was not present when the question was put,

unless by the unanimous consent of the Senate; and in no case shall such absent Senator be allowed to vote where his vote will change the decision of the question.

29. Every Senator who shall be in the Senate when the question is put shall give his vote, unless the Senate, for special reasons, or the Speaker, upon being satisfied that the motion or request is made for dilatory purposes, shall excuse him.

30. When a motion is made and seconded, it shall be stated by the Speaker, or, being in writing, shall be handed to the Chair, and read aloud by the Clerk before debated.

31. Every motion may be reduced to writing, if the Speaker or any Senator desire it.

32. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the Senate, but may be withdrawn at any time before a decision or amendment.

Dignity and Privilege of Questions.

33. When a question is under debate, no motion shall be received but to fix the time to which the Senate shall adjourn, to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit, or to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged, and a motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall not be allowed on the same day and at the same stage of the bill or proposition.

34. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be equivalent to its rejection.

35. When a motion is made to refer any subject, and different committees are named, the question shall be taken in the following order: 1. To a committee of the whole. 2. A standing committee. 3. A select committee.

36. A motion to adjourn shall always be in order; that, and the motion to lie on the table, to suspend the rules, and for the previous question, shall be decided without debate.

37. The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be

now put?" and if the nays prevail, the main question shall not then be put. But a refusal to order the previous question shall not bar the Senate from forthwith proceeding to the consideration of the subject. The effects of the previous question shall be to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, then upon amendments offered, or read, for information before ordering the previous question, and then upon the main question. After the previous question has been ordered, and until it may have been exhausted, no motion shall be allowed by the Speaker, except one motion to adjourn, and one motion to fix the time to which the Senate shall adjourn. A second motion for the previous question shall not be in order on the same day, upon the same question, at the same stage thereof.

38. When a question is postponed indefinitely, the same shall not be acted on again during the session.

39. Any Senator may call for a division of the question, which shall be divided, if it comprehends questions so distinct that, one being taken away, the rest may stand entire for the decision of the Senate; a motion to strike out and insert shall be deemed divisible. But a motion to strike out being lost, shall preclude neither amendment nor a motion to strike out and insert. Nor shall a motion to strike out and insert one thing, being lost, preclude a motion to strike out and insert a different thing.

40. Motions and reports on any subject may be committed at the pleasure of the Senate.

41. A motion to postpone, or commit an amendment, thereby to separate it from the main question, shall not be in order.

42. No motion to reconsider any vote given shall be made after the bill, resolution, or other paper, shall have gone out of the possession of the Senate, nor when it remains in the possession of the Senate, unless made within two days (Sundays excepted) after such vote was given, unless a majority of three-fourths present concur therein; and the motion to reconsider shall be a privileged motion, and must be made by a Senator who voted with the prevailing side.

43. No motion or proposition different from that under consideration shall be admitted under color of amendment.

44. When a paper is first presented to the Senate, it shall be a matter of right in any Senator to have it read before the Senate shall vote upon it. If the paper has been once read, or the reading dispensed with, and the reading be again required and objected to, it shall be determined by a vote of the Senate.

45. The unfinished business in which the Senate was engaged at the last preceding adjournment shall have the preference in the orders of the day, or in that class of business to which it appropriately belongs; and no motion or any other business, unless a privileged one, shall be received without special leave of the Senate, until the former is disposed of.

46. The orders of the day shall be taken up at 12 o'clock on each day, unless otherwise ordered by two-thirds of the Senators present.

47. The standing rules of the Senate, and the regular order of business, shall not be suspended or interrupted, unless by a vote of two-thirds of the Senators present.

48. Every order, resolution, or vote, to which the concurrence of the House of Representatives shall be necessary, shall be read to the Senate, and laid on the table one day preceding that in which the same shall be moved, unless the Senate, by a vote of two-thirds of those present, dispense with this rule.

49. Petitions, memorials, and other papers, addressed to the Senate, or the Legislature, shall be presented by the Speaker, or by a member in his place; a brief statement of the contents thereof shall be verbally made by the introducer before received or disposed of.

50. A proposition requesting information from the Executive, or any of the public officers, or other persons or bodies bound to furnish it, shall lie on the table one day for consideration, unless otherwise ordered by two-thirds of the Senators present; and all such propositions shall be taken up for consideration in the order in which they were presented, immediately after reports are called for from select committees, and when adopted, the Clerk shall cause the same to be delivered.

51. Upon call of the Senate to take the yeas and nays on any question, the names of the Senators shall be called alphabetically.

52. No Senator shall absent himself from the services of the

Senate without leave first obtained, or unless he be sick or unable to attend.

53. Upon a call of the Senate, the names of the Senators shall be called over by the Clerk, and the absentees noted, after which the names of absentees shall again be called ; the doors shall then be shut, and those for whom no sufficient excuse is made, by order of those present, shall be taken into custody by the Sergeant-at-Arms as they appear ; or may be sent for and taken into custody wherever to be found, by special messengers appointed for that purpose, or by the Sergeant. When a Senator shall appear, or be discharged from custody, when thus taken, and admitted to his seat, the Senate shall determine whether such discharge shall be with or without paying fees and the expense of such special messenger, and also whether he shall be fined any sum not exceeding the rates of five dollars per day for the time he shall have been absent without leave ; which fees, charges and fines shall be deducted by the Clerk from the pay of such delinquent Senator.

54. The fees of the Sergeant at-Arms shall be—for any arrest, the sum of one dollar ; for each day's custody, and releasement, one dollar ; and for traveling expenses for himself or special messenger, ten cents per mile.

55. No committee shall sit during the sitting of the Senate without special leave, except the Committee on Enrollments and committees of conference.

56. All questions of order shall be noted by the Clerk upon the Journal, with a decision thereon when an appeal shall be taken.

57. All questions relating to the order of business to be acted upon shall be decided without debate.

58. Every motion to alter, change or add to the standing rules of the Senate, shall lie one day on the table. And all resolutions presented shall be received and referred to a committee, unless otherwise disposed of by the Senate.

Of Bills.

59. Every bill shall be introduced on motion for leave, or by report from a standing committee, upon subjects appro-

priately belonging to such committee, or referred to it by the Senate.

60. At the first reading of the bill, if opposition be made to it, the question shall be, "Shall the bill be rejected?" If no opposition be made, or if the question to reject be negatived, the bill shall go to a second reading without a question; then, if no Senator objects, the Clerk shall note upon his Journal that the constitutional rule has been dispensed with, and immediately the second reading shall take place by the title unless some member desires the reading of the body of the bill; then the Speaker shall state it is ready for amendment, commitment, or debate, and the Senate shall vote thereon accordingly.

61. No bill shall be put upon its final passage until the same be engrossed in a fair and round hand; and all engrossed bills shall have the precedence in the orders of the day, except it be the special orders.

62. When a bill shall pass the Senate, it shall be certified by the Clerk, noting the day of its passage at the foot thereof, and forthwith sent to the House of Representatives for its concurrence; and the like course shall be observed towards amendments of the Senate to bills or resolutions from the House of Representatives.

63. A bill may be recommitted at any time before its passage; and when committed after its engrossment and returned to the Senate, it shall be considered and regarded at its second reading.

64. Bills in the orders of the day shall be acted upon in the order in which they shall have been introduced, or reported from committees or from the House of Representatives, until they shall have been disposed of.

65. No memorial or petition shall be acted upon, praying for the division of a county, the formation of a new county, changing the place of holding any court, or any local matter, unless the provisions of the law requiring notice to be given, be complied with.

66. No bill shall be amended at its third reading, by way of ryder, but by the consent of two thirds of the Senators present.

67. That whenever a bill is reported to the Senate from a committee, the same shall be handed to the Clerk, whose duty

it shall be to read said bill, unless the reading be dispensed with by a vote of the Senate.

Committee of the Whole.

68. In forming a committee of the whole, the Speaker shall leave the Chair, and designate some member of the Senate to preside as Chairman.

69. When the orders of the day are called for, after disposing of bills at the third reading, the business in committee of the whole shall next be considered. But special orders, whether in committee of the whole or in Senate, shall take precedence of the general orders in the order of time in which they have been made.

70. Upon a bill being committed to a committee of the whole, the same shall be first read through by the Clerk (unless otherwise ordered by a majority), and then again read for amendment by clauses or sections, leaving the preamble, if any, to be last considered. After report the bill shall again be read, if desired by a majority, for amendment and debate, before a question for engrossing it be taken.

71. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, and so reported to the Senate as the same shall have been agreed to, and the same shall be considered in the Senate in the order in which they were adopted in committee; and all amendments made to an original motion in committee shall be incorporated with the motion and so reported; and the above rule shall apply to all other subjects in committee of the whole as well as bills.

72. It shall be in order to introduce and discuss any resolution, when in committee of the whole, with a view to test the sense of the Senate upon the question proposed.

73. All questions, whether in committee of the whole or in the Senate (not privileged questions), shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

74. The rules of proceeding in the Senate shall be observed

in committee, so far as the same are applicable, except the rule limiting the time of speaking ; but no Senator shall speak twice to any question, until every Senator choosing to speak has spoken.

Executive Business.

75. All communications from the Governor may be taken up for consideration as ordered by the Senate.

76. That all nominations of officers made by the Governor, except of notaries public, shall be referred to, and reported upon, by an appropriate committee, before they are acted upon by the Senate.

77. When the Senate shall advise and consent to a nomination made by the Governor, or reject the same, it shall be the duty of the Clerk to inform the Governor thereof, unless otherwise ordered by the Senate.

Reports and Messages from the House of Representatives.

78. Bills and resolutions which have passed the House of Representatives, when reported to the Senate, shall be regarded as having their first reading on the report of the Clerk of the House. Immediately thereafter, the Clerk of the Senate shall read said bills by their titles, which shall be the second reading of said bills, whereupon the Clerk shall refer them to appropriate committees, unless otherwise ordered by the Senate ; and bills which have passed the Senate, and reported with amendments by the House of Representatives, shall be in a like manner referred.

79. The Clerk shall make all reports to the House of Representatives, unless otherwise ordered.

80. When the roll is being called registering a yea and nay vote, and the hour of adjournment strikes, the time for adjournment shall be extended until after said yea and nay vote has been completed and the announcement of the result made, except on a motion to adjourn or to extend the session, when, in either case, the hour shall be obeyed.

81. The regular standing committees shall have the floor from

11 A. M. until 12 M., unless this rule is suspended by a two-third vote.

82. The regular hour of meeting shall be 10:30 A. M., and the hour of adjournment shall be 1 o'clock P. M.

J. W. BRYAN, *Chairman*,
WM. LINDSAY,
R. J. BRECKINRIDGE,
D. H. SMITH,
J. H. MULLIGAN.

On motion of Mr. Kemp :

Ordered, That the further consideration of said report be postponed, and that said report be made the special order of the day for to-morrow, at 11 o'clock A. M.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled :

An act to incorporate the Walton Deposit Bank,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills :

On motion of Mr. Newman—

1. A bill to incorporate the Peoples' Saving Bank and Trust Company, of Newport, Campbell county, Ky.

On motion of Mr. Breckinridge—

2. A bill to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

On motion of Mr. Pieratt—

3. A bill to amend section 8, article 9, chapter 92, of the General Statutes.

On motion of Mr. English—

4. A bill amending chapter 56, Revised Statutes, providing the manner in which the election of directors of incorporated companies shall take place, and how the votes of stock shall be cast.

On motion of same—

5. A bill to amend the charter of the Farmers' and Drovers' Bank, of Louisville.

On motion of Mr. Wortham—

6. A bill, entitled "An act to provide for the plugging of all abandoned natural gas wells in this Commonwealth."

On motion of Mr. Darby—

7. A bill to amend an act, entitled "An act to incorporate the Princeton Collegiate Institute in town of Princeton, Caldwell county, and other purposes," approved March 21, 1882.

On motion of Mr. Mulligan—

8. A bill to amend an act, entitled "An act regulating practice in civil cases."

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st and 5th; the Committee on Religion and Morals the 2d; the Committee on General Statutes the 3d, 4th and 6th; the Committee on Education the 7th; and the Committee on Codes of Practice the 8th.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled:

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Terry:

Ordered, That 200 copies of said bill be printed, and that said bill be recommitted to the Committee on General Statutes.

The Senate, according to order, took up for consideration a resolution, entitled:

Resolution providing for the appointment of a joint commit-

tee to inquire into the advisability of abolishing the office of Public Printer and Binder.

(*For resolution, see Senate Journal, January 7, 1890.*)

Mr. Hendrick moved that said resolution be laid on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Huff and Stewart, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	Phil. Roberts,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry,
G. W. Gates,	John McCann,	J. S. Wortham—28.
T. L. Glenn,		

Those who voted in the negative, were—

J. P. Huff,	J. J. Paul,	A. H. Stewart—4.
J. H. Lunsford,		

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Farmers' Tobacco Bank, of Fulton, Fulton county.

A resolution of respect to the memory of Hon. L. M. Martin.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT.

To the Senate :

I respectfully ask permission to withdraw from the Senate for further consideration my recommendation of the names of

Thomas McRoberts, Geo. F. Lee, J. W. Proctor and Dr. John Powell for appointment as Commissioners for the Kentucky Institution for the Education of Deaf Mutes.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

Gentlemen of the Senate :

At the request of the writer, I have the honor to transmit herewith a communication, proposing that the State shall purchase from the owners an equestrian portrait of General Zachary Taylor, late President of the United States and a native of Kentucky. The portrait now hangs in the Executive Office.

Respectfully,

S. B. BUCKNER.

LOUISVILLE, January 6, 1890.

Governor S. B. BUCKNER :

DEAR SIR.—I am authorized by relatives, Miss Margaret Taylor and Col. R. I. Wood, to offer for sale to the State the portrait of General Zachary Taylor, now in the Governor's office. The portrait originally cost Mr. R. J. Ward two thousand dollars to have it taken. It ought certainly be worth the half of it, and as they are anxious for the State to have it, am willing to take that, and perhaps less. Will you please present the matter to the Legislature. By doing this, you will much oblige them and your friend,

THOMAS H. TAYLOR.

Ordered, That said message and the communication accompanying the same be referred to the Committee on Military Affairs.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act extending the corporate limits of the city of Cloverport ;

An act to repeal an act, entitled "An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county," approved April 14, 1886, said county to vote on said repeal ;

An act to change and fix the time of holding the McCracken County Court of Claims ;

An act to change and fix the time of holding the county levy and levying the ad valorem taxes for McCracken county ;

An act to amend an act, entitled "An act creating the office of collector of taxes for McCracken county, levied and to be levied by the county court of said county, for the exclusive purposes of the county, and to pay its debts and defining the duties of such collector ;"

And a resolution, which originated in the Senate, of the following title, viz :

Resolution allowing the Governor a Page ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the Committee had performed that duty.

Messrs. Berry, Hays, Dickerson, Goebel, Poyntz, Mulligan and Newman, who were absent when the vote was taken for United States Senator, asked to have their votes recorded for Hon. J. C. S. Blackburn for said office.

Which was granted.

Mr. Shearer, who was absent when the vote was taken for United States Senator, asked to have his vote recorded for Hon. A. H. Stewart for said office.

Which was granted.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled :

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

WHEREAS, Each and every county in the State of Kentucky, except the county of Carlisle, is supplied with record books and law libraries at the expense of this Commonwealth, the said exception being unfair to the tax-payers of said county. Now, in order to place the people of said county on an equal footing with the people of all other counties of the State ;

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section eleven (11) of an act, entitled "An act to establish the county of Carlisle," approved April third, one thousand eight hundred and eighty-six, be, and the same is hereby, repealed.

§ 2. This act to take effect from and after its passage.

Mr. Smith proposed the following amendment to said bill, viz :

Amend by adding after the words "eleven," in section one, the following: "And all other sections."

Mr. Anderson moved that said bill and the proposed amendment thereto be recommitted to the Committee on Propositions and Grievances.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson, W. W. Dickerson, J. S. Wortham—3.

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
Sam E. Engilsh,	J. H. Lunsford,	Phil. Roberts,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	G. Terry—29.
R. G. Hays,	John P. Newman,	

Mr. Dickerson moved that said bill and the proposed amendment thereto be recommitted to the Committee on Appropriations.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hendrick and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	D. H. Smith,
W. W. Dickerson,	Chas. B. Poyntz,	J. S. Wortham—8.
Sam E. English,	B. F. Reynolds,	

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
F. W. Darby,	J. H. Lunsford,	Phil. Roberts,
G. W. Gates,	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
R. G. Hays,	John McCann,	G. Terry—25.
J. B. Hannah,		

Mr. Dickerson moved that the further consideration of said bill and the proposed amendment thereto be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz:

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
W. W. Dickerson,	J. H. Lunsford,	Phil Roberts,
Sam E. English,	James H. Mulligan,	D. H. Smith,

G. W. Gates,
T. L. Glenn,
Wm. Goebel,

J. W. McCain,
John McCann,

G. Terry,
J. S. Wortham—31.

The hour of 12 o'clock M. having arrived, further proceedings thereon were cut off.

Said bill fell into the orders of the day.

At 12 o'clock M. the Speaker announced that the hour had arrived for the execution of the joint order of the day, the election of a Senator in the Congress of the United States.

A message was received from the House of Representatives by Messrs. Settle, Smith and Thomas, announcing that the House of Representatives was now ready to proceed to the execution of the joint order, the election of a Senator in the United States Congress.

The Speaker appointed Messrs. Terry, Dickerson and Hendrick a committee to inform the House of Representatives that the Senate was now ready to execute the joint order of the day.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, for the purpose of executing the joint order of the day, the election of a Senator in the Congress of the United States to succeed the Hon. J. C. S. Blackburn, whose term of office expires on the fourth day of March, 1891.

The Speaker of the Senate at the time designated took the Chair, and called the Joint Assembly to order.

The Journals of the Senate and House of Representatives of the preceding day were then read and adopted in Joint Assembly.

And it appearing therefrom that in execution of the laws aforesaid and of the joint order to go into the election of a Senator from the State of Kentucky in the Congress of the United States, to succeed the Hon. J. C. S. Blackburn on the expiration of his present term of office, the following votes were cast, viz:

In the Senate the vote stood—

For Hon. J. C. S. Blackburn	22
For Hon. A. H. Stewart	4
Total	<u>26</u>

In the House of Representatives the vote stood—

For Hon. J. C. S. Blackburn.....	73
For Hon. A. H. Stewart	14
Total	<u>87</u>

The joint vote stood—

For Hon. J. C. S. Blackburn.....	95
For Hon. A. H. Stewart	18
Total	<u>113</u>

Necessary to a choice, 57.

The Speaker of the Senate and Presiding officer of the Joint Assembly then announced that the Hon. J. C. S. Blackburn having received a majority, both in the Senate and House of Representatives of all the votes cast therein, and there being present and voting a majority of all the members elected to each House of the General Assembly, was duly elected a Senator from the State of Kentucky, to serve as such in the Congress of the United States for the term of six years.

On motion of Mr. Settle, the Joint Assembly then dissolved.

The Senate, by unanimous consent, took up from the orders of the day a bill, entitled :

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

Mr. Goebel moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	J. P. Huff,	B. F. Reynolds,
William Goebel,	Chas. B. Poyntz,	D. H. Smith—6.

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,

Reuben Conner,	James H. Muiligan,	Phil Roberts,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	G. Terry,
J. B. Hannah,	John P. Newman,	J. S. Wortham—22.
John K. Hendrick,		

Mr. McCain moved the previous question.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. Terry—2.
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Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
G. W. Gates,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
R. G. Hays,	John McCann,	A. H. Stewart,
J. B. Hannah,	John P. Newman,	J. S. Wortham—24.

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	James H. Mulligan,	D. H. Smith—5.
William Goebel,	Chas. B. Poyntz,	

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Ben F. Reynolds,
Reuben Conner,	John H. Lunsford,	Phil Roberts,
G. W. Gates,	J. W. McCain,	A. H. Stewart,

T. L. Glenn,	John McCann,	G. Terry,
R. G. Hays,	John P. Newman,	J. S. Wortham—25.
J. B. Hannah,		

Mr. Smith moved to reconsider the vote by which the Senate refused to lay on the table the motion made by Mr. McCain.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

William Goebel,	D. H. Smith,	G. Terry—3.
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Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
Sam E. English,	J. H. Lunsford,	Phil Roberts,
G. W. Gates,	James H. Mulligan,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—25.
R. G. Hays,		

Mr. Goebel moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Smith, were as follows, viz :

In the affirmative—D. H. Smith—1.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	Jno. P. Newman,
W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
Sam E. English,	J. H. Lunsford,	Phil Roberts,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	J. S. Wortham—25.
R. G. Hays,		

Mr. Wortham moved that said bill, with the proposed amendments thereto, be recommitted to the Committee on General Statutes, with directions to bring in a bill requiring all the counties of the State to pay for all record books necessary for the use of county clerk, circuit clerk and county judge of their respective counties.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. S. Wortham—5.
Sam E. English,	J. B. Hannah,	

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	James H. Mulligan,	B. F. Reynolds,
G. W. Gates,	J. W. McCain,	Phil Roberts,
T. L. Glenn,	John McCann,	D. H. Smith,
R. G. Hays,	John P. Newman,	A. H. Stewart,
John K. Hendrick,	J. J. Paul,	G. Terry—25.
J. P. Huff,		

Mr. Smith moved to reconsider the vote by which the Senate had refused to recommit said bill with directions to the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
G. W. Gates,	James H. Mulligan,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	Phil Roberts,
R. G. Hays,	John McCann,	A. H. Stewart—21.

Mr. Goebel moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Smith, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	J. M. Pieratt,
G. W. Gates,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	James H. Mulligan,	D. H. Smith,
R. G. Hays,	J. W. McCain,	A. H. Stewart,
J. B. Hannah,	John McCann,	J. S. Wortham—23.
John K. Hendrick,	John P. Newman,	

Mr. Smith moved that when the Senate adjourn, it adjourn to meet to-morrow at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

James H. Mulligan,	A. L. Peterman,	B. F. Reynolds,
J. J. Paul,	C. B. Poyntz,	D. H. Smith—6.

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	John McCann,
Ben F. Bradley,	John K. Hendrick,	John P. Newman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	Phil Roberts,
G. W. Gates,	Jno. H. Lunsford,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—18.

Mr. Peterman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	Chas. B. Poyntz,
W. W. Dickerson,	James H. Mulligan,	B. F. Reynolds.
William Goebel,	J. J. Paul,	D. H. Smith—11.
J. P. Huff,	A. L. Peterman,	

Those who voted in the negative, were—

W. F. Berry.	R. G. Hays,	John McCann,
Ben F. Bradley,	J. B. Hannah,	John P. Newman,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Phil Roberts,
G. W. Gates,	William Lindsay,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—18.

Mr. Lindsay moved that the further consideration of said bill and the proposed amendment thereto be postponed, and that said bill be made the special order of the day for to-morrow, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	Phil Roberts,
G. W. Gates,	J. H. Lunsford,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—21.

Those who voted in the negative, were—

W. W. Dickerson,	J. M. Pieratt,	D. H. Smith,
William Goebel,	C. B. Poyntz,	G. Terry—8.
James H. Mulligan,	B. F. Reynolds,	

On motion of Mr. Hendrick, the Senate then adjourned.

THURSDAY, JANUARY 9, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Shelby Loan Company."

An act to authorize the county court of Boyle county to subscribe to turnpike road companies in Boyle county, and levy a tax to pay for same.

That they had adopted a resolution and passed bills of the following titles, viz :

1. Resolution to appoint a committee to investigate the conducting of lotteries in the State.

2. An act to amend chapter 28, article 17, section 1, of the General Statutes.

3. An act to amend section 14, article 5, chapter 92, General Statutes.

4. An act to amend an act, entitled "An act to incorporate Hickman College," approved March 2, 1888.

5. An act authorizing the recording of deeds and mortgages in Graves county, and fixing the fees of the county clerk therefor.

6. An act to amend the charter of the Westview Building Company, and to change its name.

7. An act to incorporate the Louisville Steam Motor Company.

8. An act to amend section 1, article 9, chapter 96, of the General Statutes.

9. An act to repeal an act, entitled "An act to amend chapter 66, article 2, General Statutes, title 'Landlord and Tenant,'" to apply to the counties of Daviess, Hancock and McLean, in so far as the same applies to McLean county.

10. An act to incorporate and to establish the Estill County Bank of Irvine, Estill county.

11. An act making it a misdemeanor to injure or damage in

any way telephone lines in this Commonwealth, and to fix the penalty therefor.

Which resolution and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bills being dispensed with,

The first and eleventh were referred to the Committee on the Judiciary; the second, third, fifth, eighth and ninth to the Committee on General Statutes; the sixth to the Committee on Internal Improvements; and the seventh to the Committee on Courts of Justice;

And the fourth and tenth-named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Goebel, Mr. McCann was added to the Committee on Courts of Justice.

Mr. Wortham read and laid on the table the following joint resolution, viz:

WHEREAS, An election for State Librarian is about to be held by the present General Assembly; and, whereas, the present incumbent assumes to hold said office until the first Monday in June, 1890, by virtue of an appointment by the Governor to fill a vacancy; and, whereas, doubts have arisen as to whether or not the Governor possessed the power or authority under the law to extend said appointment beyond the meeting of the present Legislature; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That said question be, and is hereby, referred and submitted for an expression of an opinion to the Judiciary Committees of the Senate and House, and that said committees make a joint report as early as practicable.

2. This resolution shall take effect from its passage.

The rule of the Senate requiring a joint resolution to lie over one day on the table being dispensed with,

Said resolution was taken up, twice read, and adopted.

The Senate, according to order, took up for consideration a bill, entitled:

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

(*For bill, see Senate Journal of yesterday.*)

The question pending being upon ordering the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Smith to said bill.

(For amendment, see Senate Journal of yesterday.)

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	J. H. Shearer,
R. G. Hays,	John McCann,	A. H. Stewart,
J. B. Hannah,	John P. Newman,	J. S. Wortham—21.

Those who voted in the negative, were—

D. H. Smith,	G. Terry—2.
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Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a resolution, entitled :

Resolution providing for the appointment of a joint committee to investigate lawlessness in Harlan and Perry counties, and report thereon.

On motion of Mr. Stewart:

Ordered, That said resolution be referred to the Committee on the Judiciary.

Mr. Glenn, from the Committee on Enrollments, reported

that the committee had examined an enrolled bill, which originated in the Senate, entitled :

An act to amend an act, entitled "An act to incorporate the Shelby Loan Company ;"

And had found the same correctly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled :

An act to incorporate the Shelby Co-operative Missionary Society of the Christian Church,

Reported the same without amendment.

Ordered, That said bill be read a third.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Hickman County Banking and Trust Company.

By same—

An act to incorporate the Columbus Bank.

By same—

An act to incorporate the Kentucky Safety Vault and Trust Company, of Paducah.

By same—

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

By same—

An act to incorporate the Peoples' Savings Bank and Trust Company, of Louisville, Kentucky.

By Mr. Terry, from the Committee on General Statutes—

An act to amend the charter of the city of Louisville regarding the pensioning of disabled firemen and policemen.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bill, viz :

On motion of Mr. Shearer—

A bill to prohibit the selling, loaning or furnishing spirituous, vinous or malt liquors, or any other intoxicating drink on election days in this Commonwealth.

Ordered, That the Committee on Religion and Morals prepare and bring in said bill.

The Senate, according to order, took up for consideration the Report of the Committee on Rules, made on yesterday.

(For Report, see Senate Journal of yesterday.)

The question being on the adoption of said report.

Mr. Hendrick's moved the following amendment to section 13 of said rules, viz :

By striking out all of section 13, except the words, the Speaker of the Senate shall appoint an Enrolling Clerk and an Assistant, and inserting in lieu thereof the following, viz : The rules governing the enrollment of bills and resolutions in effect last session and for many previous sessions are hereby adopted, in substance, as the rules for the government and control of said matter at the present session. That is, the Clerk of the Senate shall take charge of all Senate bills and resolutions so soon as they are reported back from the House as having been passed and are ready to be enrolled ; keep an accurate account and carefully preserve all of them, and cause them to be plainly and legibly enrolled without blots or erasures, and under the signatures of the Clerks of the two Houses respectively. So soon as they are thus enrolled, he shall deliver the original and enrolled copies to the Enrolling Committee or their Clerks, who shall compare them, and, if found correctly enrolled, so report

them to the Senate, when the original bills and resolutions shall be returned to the custody of the Clerk of the Senate, who is made their custodian and responsible for their safe-keeping. The Enrolling Clerk shall present the enrolled bills to the Speakers of the two Houses for their respective signatures. The Clerk of the Senate shall keep an accurate account of all enrolling, the same to be daily shown to the Enrolling Committee and approved by them, and certified at the end of the session by the Clerk to the Auditor for payment.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Newman moved to amend section 20 of said rules, by adding after the word "members," the word "ex-members."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of said rules, as amended, and it was decided in the affirmative.

On motion of Mr. Dickerson :

Ordered, That 200 copies of said rules be printed for the use of the members of the General Assembly.

On motion of Mr. Anderson, the Senate then adjourned.

FRIDAY, JANUARY 10, 1890.

The reading of the Journal of yesterday was dispensed with.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 9, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for

the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

A. M. Brown, Hardin county.
S. A. Burns, Daviess county.
E. C. Bohne, Jefferson county.
James W. Beattie, Jefferson county.
A. Lee Barret, Martin county.
Harry A. Coulter, Graves county.
Geo. W. Check, Jefferson county.
R. H. Dorn, Jefferson county.
James H. Dorman, Jessamine county.
L. T. Everett, Boyd county.
J. Lee Ferguson, Pike county.
J. T. Frazer, Bell county.
W. A. Foreman, Jefferson county.
Peter Geibel, Henderson county.
J. J. Holbrook, Lawrence county.
Nolan King, Jefferson county.
A. G. Langham, Jefferson county.
J. A. McKee, Pulaski county.
John H. Mason, Boyd county.
J. O. Russell, Adair county.
Wm. J. Smith, Marion county.
S. P. Stamper, Lee county.
C. H. Stoll, Fayette county.
J. S. Withers, Harrison county.
J. F. Wilcoxson, Shelby county.
Ed Meglemry, Jefferson county.
Warren Clayton, Scott county.
Eugene P. M. Creutz, Jefferson county.
J. Friedman, McCracken county.
J. H. Flannery, Floyd county.
B. Frese, Jefferson county.
F. P. Geibel, Henderson county.
G. S. Judd, Mason county.
E. M. Rice, Johnson county.
A. G. Rhea, Logan county.
Gus Starr, Henderson county.
Joe Williams, Johnson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Gov-

ernor had approved and signed an enrolled bill, which originated in the Senate, entitled :

An act to amend an act, entitled "An act to incorporate the Shelby Loan Company."

The Speaker announced the appointment of Messrs. Terry, Poyntz and Paul as a committee to examine into the condition of the Treasury in pursuance to section 4, article 2, chapter 108, General Statutes.

Mr. Peterman, from the Committee on Education, to whom was referred a joint resolution, which originated in the House of Representatives, entitled :

Resolution calling upon the President of the Agricultural and Mechanical College for certain information.

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Peterman, from the same committee, to whom was referred a joint resolution which originated in the House of Representatives, entitled :

Resolution calling upon the Auditor of Public Accounts for certain information concerning taxes collected for the Agricultural and Mechanical College.

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Berry moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled :

An act to incorporate the Planters' State Bank, of Henderson.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering said bill to a third reading, were then reconsidered.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of said bill.

Which was granted, and said bill was delivered to the messenger.

The Speaker laid before the Senate a communication in writing from Hon. H. C. Lilly, Circuit Judge of the Nineteenth Judicial District.

Said communication was taken up and read as follows, viz :

FRANKFORT, KY., January 10, 1890.

To the General Assembly of the Commonwealth of Kentucky :

In his last annual message His Excellency, Simon Bolivar Buckner, Governor of the Commonwealth, calls your attention to the Judicial District over which I have the honor to preside and my administration of the office of circuit judge in that district. I very cheerfully report to the General Assembly the facts in the case, and am only anxious that when the facts are known that the Legislative Department of the State Government will render such aid as lies within their power to enforce the decrees of my court and assist me in the administration of justice. That such assistance is needed the statement which follows will, I think, abundantly prove. While I do not, by any means, concede the right of the Executive to interfere in any way with the administration of justice by the courts, except within the limits of his constitutional prerogative, I desire, at the same time, to be understood as inviting a thorough examination of my official conduct. This communication is made to the General Assembly without respect to the invidious charges contained in the Governor's message. I recognize and respond to my constitutional obligations to render an account of my stewardship to the Legislative Branch of the Government, but I, with equal emphasis, resent the claim of the Executive to render a circuit judge amenable to his will. I do not desire to be understood, however, as entertaining against the Executive any personal feelings of animosity or ill-will. On the contrary, I think His Excellency is sincerely desirous of doing right, as far as he knows, but that his ideas of civil government are so distorted from a civil model by his military education and habits, and so thoroughly bureaucratic in principle, as to be utterly and absolutely inconsistent with the administration of civil government under the present Constitution of the Commonwealth. I say this as an index to the

statement which follows, and as a candid expression of my attitude toward the Governor, irrespective of his cruel and unjust attack on my official integrity and honor. If I have failed in the discharge of my duty I ought to be punished as the law directs; if I have performed my duty, surely I have not deserved such reference as His Excellency is pleased to make to me in his message.

In his message Governor Buckner says: "Additional legislation is also needed to provide for the assignment of some other circuit judge where the regular judge, from any cause, is absent. This necessity will be apparent when the recent action of the Judge of the Nineteenth Judicial District is considered.

"In a communication, dated November 13, 1889, the judge informed the Executive that unless a guard was sent to accompany him on the circuit he 'would not attempt to hold courts at Letcher, Knott or Breathitt.' As no information had reached the Executive office to show that any organization existed in opposition to the civil authorities in those counties, no troops were sent, and in some of those counties, as I am informed, courts have not been regularly held by the circuit judge since that time."

The counties composing the Nineteenth Judicial District are Estill, Powell, Lee, Clay, Perry, Letcher, Knott, Breathitt and Wolfe. These are all mountain counties, and, as a rule, only accessible on horseback, one hundred and fifty miles long and seventy miles wide. In the counties of Estill, Powell, Lee, Clay, Breathitt, and Wolfe I have never, since my election, failed to hold the regular terms of court for their full time. In the fall of 1888 I failed to hold the regular fall terms of the Letcher and Knott Circuit Courts, and in 1889 the regular fall terms of the Perry and Knott Circuit Courts. You will be better able to judge of the reasons for not holding said courts when the facts are stated.

The counties of Knott and Perry are absolutely dominated and terrorized by savage and lawless bands. All respect for justice and the peaceful and orderly administration of the law is not only set at defiance, but the most high-handed outrages are perpetrated in the presence of the court, and with the purpose and object of terrorizing and intimidating the officers of

justice. At the peril of my life, frequently narrowly escaping death, I have held the courts in these counties. Before the fall terms for 1888 in these counties came on I had knowledge of feuds existing in both the counties of Knott and Perry of the most deadly and malignant character. Hostile armed bands in these two counties constantly menaced each other; deadly conflicts between the opposing factions were of almost daily occurrence. The circuit court drew together at the court-house the factions from all sections of the county. A collision, with necessarily fatal and demoralizing results, was inevitable. The better elements of each county, including the officers of the court, were helpless in the face of superior numbers of reckless and lawless men heavily armed. Under these circumstances I informed His Excellency, Governor Buckner, of the facts and asked for military aid. He sent one company of State troops to Perry, but refused to permit them to accompany me to Knott or Letcher. I held the court in Perry under the protection of the troops, but refused to hold the court in Knott and Letcher because my life was threatened by lawless and desperate men, and I was reliably informed that in case I attempted to hold either of these courts I would certainly be assassinated. I am now certain, from information since received, that such would, beyond all doubt, have been the result.

I am and always have been anxious to enforce the law and restore order in these counties, but from a very thorough knowledge of the entire situation I am convinced that unless the civil power of the courts is sustained and backed by a military escort sufficient to protect the court from violence and enforce its orders, judgments and decrees, no real progress will be made toward re-establishing peace and good order in these counties.

I do not wish to be understood as saying that this aid should be permanently furnished, or relied upon as a permanent means of executing the law, but that such aid should be furnished the circuit judge until, by its aid, the officers of the courts would be enabled to gain the ascendancy over the vicious and lawless and by the inherent force of virtue to master and dominate the lawless classes.

In the fall of 1889 I did not call upon the Executive for aid, for the reason that His Excellency had caused to be published

in the daily papers a letter sent to me, in which he very clearly and pointedly refused in advance to furnish troops to aid the court.

The fighting and killings that occurred at Knott court in 1888, and then Perry in November, 1888, prove that my friends were correct in advising me to stay away from those courts.

During my administration of the office of circuit judge in the Nineteenth Judicial District I have extended terms, and called special terms whenever the necessities of the business required it; so that for each year I have held courts for more judicial days than were assigned to the circuit by law.

In conclusion, I desire to say that while I regret more than anyone else can the condition of affairs in the counties referred to, I am also conscious of a sincere and earnest effort to do my whole duty, and I submit this communication with the utmost confidence in the justice and fairness of the General Assembly in dealing with me and the questions presented.

H. C. LILLY.

On motion of Mr. Stewart:

Ordered, That 200 copies be printed, and that said communication be referred to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Somerset Banking Company,” approved February 13, 1888.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Farmers' and Merchants' Bank of Greenup ;

An act to incorporate the Hart County Deposit Bank and Trust Company ;

An act to incorporate the Deposit Bank, of Waddy, Shelby county ;

Resolution providing for a joint session for the election of a State Librarian and Public Printer and Binder ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Leave was granted to bring in the following bills :

On motion of Mr. Reynolds—

1. A bill to amend an act, entitled "An act for the benefit of licensed keepers of stud horses, jacks and bulls of this Commonwealth," approved February 11, 1876.

On motion of Mr. Huff—

2. A bill to amend an act, entitled "An act to incorporate the Deposit Bank of Pearce, Fant & Co., of Flemingsburg," approved April 30, 1888.

On motion of Mr. Berry—

3. A bill to authorize Ignatius H. Pike, a minor of Union county, to transact business under the same responsibilities of a man of full age.

On motion of Mr. McCann—

4. A bill to incorporate the Kentucky Savings Bank, at Louisville.

On motion of same—

5. A bill to amend the charter of the city of Louisville.

On motion of Mr. Kemp—

6. A bill to create the Board of State House Commissioners,

and to provide for the erection and completion of the necessary public buildings at the seat of government.

On motion of Mr. Gates—

7. A bill to incorporate the Peoples' Bank of Owensboro, and have same enforced.

On motion of same—

8. A bill to amend the charter of the Daviess County Gravel Road Company, and have same enforced.

On motion of M. Lunsford—

9. A bill for the benefit of Mrs. Hawkins, widow of Samuel Hawkins, deceased, late of Christian county.

On motion of same—

10. A bill to establish the Pembroke Deposit Bank, in Christian county.

On motion of same—

11. A bill to amend an act to incorporate Bethel High School, located in Christian county, Kentucky, approved March 9, 1854.

On motion of same—

12. A bill to amend an act, entitled "An act to establish a court of common pleas in the county of Christian," approved February 6, 1888.

On motion of Mr. Paul—

13. A bill, entitled "An act to provide for the summoning and pay of jurors in the Pulaski quarterly courts."

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 3d and 5th ; the Committee on Banks and Insurance the 2d, 4th, 7th and 10th ; the Committee on Library and Public Buildings the 6th ; the Committee on Propositions and Grievances the 8th ; the Committee on Courts of Justice the 9th, 12th and 13th ; and the Committee on Education the 11th.

At the hour of 12 o'clock M. the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a Public Printer and Binder and State Librarian.

A message was received from the House of Representatives by Messrs. Langley, Triplett and McCord, announcing that they were now ready to proceed to the execution of the joint order of the day.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, for the purpose of electing a Public Printer and Binder to succeed the Hon. E. Polk Johnson, whose term of office expires on the first Monday in August, 1890, and also a State Librarian to succeed Hon. Ed Porter Thompson, whose term of office expires the first day of June, 1890.

The Speaker of the Senate at the time designated took the Chair, and called the Joint Assembly to order.

The roll of the two Houses was then called, and the following Senators and Representatives responded to the call, viz :

W. H. Anderson,	I. S. Bow,	Wm. M. Moore,
W. F. Berry,	E. R. Burns,	Reuben Morris,
Bèn F. Bradley,	Tibbis Carpenter,	W. S. McClanahan,
R. J. Breckinridge,	H. B. Clark,	W. C. McChord,
B. F. Cockrell,	J. H. Coffey,	John T. McClure,
Reuben Conner,	Hugh P. Cooper,	J. H. McDanell,
W. W. Dickerson,	W. H. Counts,	J. J. Nall,
Sam E. English,	J. W. Croan,	G. W. Norman,
G. W. Gates,	R. H. Crossfield,	W. R. Palin,
T. L. Glenn,	John C. Draddy,	O. T. Petty,
William Goebel,	G. W. Duvall,	Matthew Rebholz,
John K. Hendrick,	E. C. Flanary,	D. B. Redwine,
J. P. Huff,	John M. Frazee,	Gus. W. Richardson,
John R. Kemp,	Eli Farmer,	N. B. Riley,
William Lindsay,	J. T. Freeman,	John W. Rowlett,
J. H. Lunsford,	G. H. Gardner,	Jas. H. Rudy,
J. W. McCain,	T. T. Gardner,	George E. Ryan,
John McCann,	Wm. Garrison,	John Ryan,
John P. Newman,	E. J. Green,	E. E. Settle,
J. J. Paul,	Ed E. Hardin,	S. H. Shouse,
A. L. Peterman,	R. C. Hill,	W. B. Smith,
J. M. Pieratt,	W. H. Hays,	W. M. Smith,
Chas. B. Poyntz,	Jacob Hoertz,	W. W. Stephenson,
B. F. Reynolds,	B. B. Hensley,	G. W. Terrell,
Phil. Roberts,	Jas. A. Hindman,	Alvis B. Tichenor,
D. H. Smith,	S. L. Holland,	W. P. Thorne,
A. H. Stewart,	Daniel James,	R. H. Tomlinson,
G. Terry,	Joseph Jenkins,	R. S. Triplett,
J. S. Wortham,	Tice Jolly,	M. D. Vanhooose,
Mr. Speaker (Myers),	Geo. B. Kinkead,	B. R. Walker,
Wm. H. Able,	Henry Kremer,	R. C. Warren,
John Bartman,	John W. Langley,	Myer Weil,
W. S. Bailey,	John M. Letterle,	Wm. Wharton,

J. W. Bale,	J. J. Long,	Chas. B. Wickliffe,
R. N. Beauchamp,	Henry Mason,	Theo. C. Wolking,
E. D. Briscoe,	C. W. Mathers,	John W. Williams,
Scott Brown,	Isaac Middleton,	J. Watt Womack—112.
F. B. Brown,		

The Speaker then announced that nominations for the office of Public Printer and Binder were in order.

Whereupon Mr. English nominated Hon. E. Polk Johnson, of Jefferson county, as a suitable person to fill said office.

There being no other nomination, the Speaker then announced that the Clerks would now proceed to take the joint vote of the two Houses upon the nomination before mentioned for the office of Public Printer and Binder, and the vote being taken stood thus :

In the Senate :

Those who voted for Mr. Johnson, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. M. Pieratt,
R. J. Breckinridge,	J. P. Huff,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	Phil Roberts,
W. W. Dickerson,	J. H. Lunsford,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	G. Terry,
T. L. Glenn,	John P. Newman,	J. S. Wortham—30.

In the House of Representatives :

Those who voted for Mr. Johnson, were—

Mr. Speaker (Myers),	W. H. Hays,	D. B. Redwine,
Wm. H. Able,	Jacob Hoertz,	Gus. W. Richardson,
John Bartman,	B. B. Hensley,	N. B. Riley,
W. S. Bailey,	Jas. A. Hindman,	John W. Rowlett,
W. J. Bale,	S. L. Holland,	Jas. H. Rudy,
R. N. Beauchamp,	Daniel James,	George E. Ryan,
E. D. Briscoe,	Joseph Jenkins,	John Ryan,
Scott Brown,	Tice Jolly,	E. E. Settle,
F. B. Brown,	Geo. B. Kinhead,	S. H. Shouse,
I. S. Bow,	Henry Kremer,	W. B. Smith,
E. R. Burns,	John W. Langley,	W. M. Smith,
Tibbis Carpenter,	John M. Letterle,	W. W. Stephenson,

H. B. Clark,	J. J. Long,	G. W. Terrell,
J. H. Coffey,	Henry Mason,	Alvis B. Tichenor,
Hugh P. Cooper,	C. W. Mathers,	W. P. Thorne,
W. H. Counts,	Isaac Middleton,	R. H. Tomlinson,
J. W. Croan,	Wm. M. Moore,	R. S. Triplett,
R. H. Crossfield,	Reuben Morris,	M. D. Vanhooose,
John C. Draddy,	Thomas Murray,	Arthur Wallace,
G. W. Duvall,	W. S. McClanahan,	B. R. Walker,
E. C. Flanary,	W. C. McChord,	R. C. Warren,
John M. Frazee,	John T. McClure,	J. H. Welch,
Eli Farmer,	J. H. McDanell,	Myer Weil,
G. H. Gardner,	J. J. Nall,	Wm. Wharton,
T. T. Gardner,	G. W. Norman,	Chas. B. Wickliffe,
Wm. Garrison,	W. R. Palin,	John W. Williams,
E. J. Green,	O. T. Petty,	Theo. C. Wolking,
Ed E. Hardin,	Matthew Rebholz,	J. Watt Womack-85.
R. C. Hill,		

Whereupon the Speaker announced that Mr. E. Polk Johnson having received a majority of all the votes cast, and of all the members elected to each House, was duly elected Public Printer and Binder for the term of two years, commencing on the first Monday in August, 1890.

Mr. D. H. Smith moved that the Joint Assembly do now dissolve.

And the question being taken thereon, it was decided in the affirmative.

The Senators then repaired to the Senate Chamber, the Speaker resumed the Chair, and called the Senate to order.

On motion of Mr. Breckinridge, the Senate then adjourned.

SATURDAY MORNING, JANUARY 11, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act extending the corporate limits of the city of Cloverport.

An act to change and fix the time of holding the McCracken County Court of Claims.

An act to change and fix the time of levying the county levy and levying the ad valorem taxes for McCracken county.

An act to amend an act, entitled "An act creating the office of collector of taxes for McCracken county, levied and to be levied by the county court of said county, for the exclusive purposes of the county, and to pay its debts and defining the duties of such collector."

An act to repeal an act, entitled "An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county," approved April 14, 1886, said county to vote on said repeal.

Resolution allowing the Governor a Page during the session of the General Assembly.

That they had passed bills which originated in the House of Representatives, of the following titles, viz :

1. An act to authorize the citizens or other persons owning and producing timber on the waters of Big creek, of Clay and Leslie counties, to boom Big creek.

2. An act to allow T. P. Roberts, Sr., of the county of Calloway, to peddle goods, wares and merchandise without license.

3. An act to amend the charter of the Cairo and Tennessee River Railroad.

4. An act to amend an act, entitled "An act to amend the charter of the Cairo and Tennessee River Railroad Company," approved February 25, 1888.

5. An act to create Persimmon Grove voting precinct, in Campbell county, magisterial district.

6. An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

7. An act to incorporate the Planters' State Bank, of Henderson.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Internal Improvements; the 2d to the Committee on Propositions and Grievances; the 3d and 4th to the Committee on Railroads; the 5th to the Committee on Immigration and Labor; the 6th to the Committee on Banks and Insurance, and the 7th, the last-named bill, was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. English, leave of absence, indefinitely, was granted Messrs. Cockrell, Reynolds, Roberts and Gates.

The Speaker laid before the Senate the response of the Sinking Fund Commissioners made pursuant to a resolution of the Senate, calling upon them for a copy of the agreement or contract between the Commissioners of the Sinking Fund and parties having in charge the labor of the convicts of the Kentucky Penitentiary.

Said response was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, January 11, 1890. }

Gentlemen of the Senate:

In response to your resolution, I have the honor to transmit herewith a copy of the agreement or contract entered into between the Commissioners of the Sinking Fund and the parties having in charge the labor of the convicts of the Kentucky Penitentiary.

Yours respectfully,

S. B. BUCKNER,

Chairman Board Sinking Fund Commissioners.

THIS ARTICLE OF AGREEMENT.

Witnesseth : That the Commonwealth of Kentucky has let and hired to the Mason & Foard Company the labor of the convicts who are now or may be in the Kentucky Penitentiary at Frankfort, and also the right to the free use of all shops, machinery, fixtures, etc., in and connected with the said penitentiary, for the period of four (4) years from the first day of April, 1889, for the consideration, and upon the terms, conditions and limitations, hereinafter set out, for the faithful observance and performance of which, said company as principal and the undersigned, H. P. Mason, S. B. Mason, Jo. F. Foard, S. D. Gooch, W. F. Dandrige, Wm. Morrow, Wm. M. Duncan, Chas. E. Hoge and John King, as principal sureties, and John Echols as their surety, hereby bind themselves jointly and severally to said Commonwealth in such sum or sums, not exceeding one hundred and fifty thousand dollars (\$150,000), as may be sufficient to indemnify the said Commonwealth against all costs and damages that may accrue from a breach of any stipulation herein contained, should any such occur.

It is agreed by said contractors, the Mason & Foard Company, and the said parties, sureties aforesaid :

1st. That for said labor said contractors shall pay into the Treasury of the Commonwealth of Kentucky, on the last day of each month, a sum equal to the monthly pay of all officers and guards of the penitentiary, then due, so that the said Commonwealth shall be kept acquit of all charge or expense or any such account during the continuation of this contract.

2d. That said contractors shall, at all times during the continuance of this lease, furnish sufficient and proper food, clothing, bedding, medicines and medical attendance to all convicts in said penitentiary, and in all respects treat them humanely, and provide for them as comfortably, both in sickness and in health, as may be consistent with good order and discipline, acquitting the Commonwealth of all charge on any such account.

3d. The said contractors shall faithfully conform to all rules and regulations which may be prescribed by the Commissioners of the Sinking Fund respecting the labor, diet and clothing, and safe keeping of the convicts, and touching the discipline,

sanitation, police and other matters relating to the convicts, officers and guards, such as said Commissioners are by law authorized to make, but the said contractors are not to be required to pay for the increased compensation or for additional guards, unless an increase of guards is deemed necessary by the Board of Commissioners of the Sinking Fund, and no increase is to be made, except by order of said Board. Upon the expiration of the term of any convict, or his or her pardon, the said contractor or lessee will furnish such convict a new suit of serviceable clothing and transportation (not transferrable), at the lowest rates, to the county from which such convict was sent to the penitentiary, and will pay the rewards and expenses, prescribed by law for the capture and return of any escaped convict.

4th. Said contractor or lessee shall, when required by the Commissioners of the Sinking Fund, furnish, free of charge to the Commonwealth, any number of unskilled convict laborers, not exceeding ten (10) at one time, that may be needed for work about the public buildings or grounds belonging to the Commonwealth at the seat of Government.

5th. This contract is to be construed in harmony with the existing contract for the completion and leasing of the prison at Eddyville, and as soon as said Eddyville prison is sufficiently completed to do away with the necessity of working any of the convicts outside of the prison walls, all convicts shall be returned to one or the other of these prisons, as provided by law, but until said Eddyville prison is so far completed as to do away with such necessity, the said contractor and lessee is to have the right to continue to work convicts outside of the prison walls as provided for by the terms of its last preceding contract of lease, and to the extent and in the number authorized by existing laws.

6th. The said contractor and lessee agrees to waive all claims in law, equity or good conscience it may have to compensation or damages by reason of the burning of the work shops on January 15, 1887, and the consequent want of room and facilities for utilizing the prison labor under its former lease.

7th. Said contractor and lessee also agrees to pay all rents

for water supply, except for fire plugs, and to save the State acquit of all expense on such account.

8th. The said contractor and lessee is to have, and is hereby given the right, at its option, to extend this contract of leasing for an additional term of four years (4) from and after the first day of April, 1893: *Provided*, It shall give the Board of Sinking Fund Commissioners, or to the then prison management, notice of its intention to make such extension on or before the 31st day of December, 1892.

Witness our hands this first day of April, 1889.

S. B. BUCKNER,

Chairman Board of Sinking Fund Commissioners.

MASON & FOARD Co.,

By CHAS. E. HOGE, *President*.

CHAS. E. HOGE (surety),

H. P. MASON (surety),

W. F. DANDRIDGE (surety),

WM. MORROW (surety),

W. M. DUNCAN (surety),

JO. F. FOARD (surety),

S. D. GOOCH (surety),

S. B. MASON (surety),

JOHN KING,

JOHN ECHOLS.

On motion of Mr. Newman :

Ordered, That 200 copies of said response and accompanying document be printed, and that said response be referred to the Committee on Penitentiary and House of Reform.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Terry, from the Committee on General Statutes—

An act authorizing the recording of deeds and mortgages in Graves county, and fixing the fees of the county clerk therefor.

By same—

An act to repeal an act, entitled “An act to amend chapter

66, article 2, General Statutes, title 'Landlord and Tenant,''' to apply to the counties of Daviess, Hancock and McLean, in so far as the same applies to McLean county.

By same—

An act to amend chapter 28, article 17, section 1, of the General Statutes.

By same—

An act to amend section 14, article 5, chapter 92, General Statutes.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act to incorporate the Bank of Williamsburg, approved May 9, 1884.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. English :

Ordered, That Mr. McCann be added to the Committee on Codes of Practice.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate Hickman College," approved March 2, 1888 ;

An act to incorporate the Farmers' Exchange Bank, of Nicholasville ;

An act to incorporate the Shelby County Co-operative Missionary Society of the Christian Church ;

An act to incorporate the Trigg County Farmers' Bank, in the town of Cadiz ;

An act to incorporate and to establish the Estill County Bank of Irvine, Estill county ;

And an enrolled bill, which originated in the Senate, of the following title, viz :

An act to authorize the county court of Boyle county to subscribe to turnpike road companies in Boyle county, and levy a tax to pay for same ;

And had found the same enrolled.

Said bills having been signed by the Speaker of the House of

Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to establish the Pembroke Deposit Bank, in Christian county.

By Mr. Newman, from the Committee on Courts of Justice—

An act providing for the summoning and pay of jurors in the Pulaski quarterly court.

By same—

An act for the benefit of Kitty Hawkins, widow of Samuel Hawkins, deceased, late of Christian county.

By Mr. Terry, from the Committee on General Statutes—

An act to amend the charter of the city of Louisville.

By same—

An act to authorize Ignatius H. Pike, of Union county, to transact business under the same responsibilities of a man of full age.

By Mr. Wortham, from the same committee—

An act to provide for the plugging of all abandoned gas wells in this Commonwealth.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to authorize Duke Cayce Bowers, a minor, to transact business as a man.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Pearce, Fants & Co., at Flemingsburg," approved April 30, 1888.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

An act defining the crime of misapplication of public moneys by county officers in this Commonwealth, and punishing persons for a violation thereof by confinement in the Penitentiary,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham :

Ordered, That said bill be printed and recommitted to the Committee on General Statutes, with leave to report at any time.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

An act to make it unlawful for any person in this Commonwealth to give, sell or barter cigarettes to certain children, or to others for their use, or to induce said children to use the same, and providing penalties for the violation thereof,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham :

Ordered, That said bill be printed, and recommitted to the Committee on General Statutes.

Leave was granted to bring in the following bills :

On motion of Mr. Stewart—

1. A bill providing for the appointment of female physicians in certain institutions in this Commonwealth.

On motion of same—

2. A bill to establish and maintain the "East Kentucky State Normal School," for white persons, at or near Jackson, in Breathitt county, Kentucky.

3. A bill to remove the Capital and seat of government from Frankfort to Hamilton Place, in Scott county.

On motion of Mr. Cockrell—

4. A bill to incorporate the Mt. Sterling Fair Association.

On motion of same—

5. A bill for the benefit of English Anderson, of Montgomery county.

On motion of same—

6. A bill for the benefit of Charles W. Howe, of Mt. Sterling.

On motion of same—

7. A bill to incorporate the Citizens' Vault and Trust Company, of Mt. Sterling.

On motion of Mr. Glenn—

8. A bill, entitled "An act to regulate the holding of circuit and common pleas courts, and to correct the abuses as to attendance of petit juries and witnesses in the State of Kentucky."

On motion of same—

9. A bill, entitled "An act to regulate the assessment of railroad bridges crossing the Ohio river within the State of Kentucky.

10. A bill to incorporate the Cumberland Improvement Company.

Ordered, That the Committee on Public Health prepare and bring in the 1st; the Committee on Education the 2d; the Committee on Library and Public Buildings the 3d; the Committee on Internal Improvements the 4th; the Committee on Codes of Practice the 5th and 10th; the Committee on Claims the 6th; the Committee on Banks and Insurance the 7th; and the Committee on Propositions and Grievances the 8th and 9th.

Mr. Hays moved that the Senate do now adjourn until Tuesday morning, January 14th, at 11 o'clock A. M.

Mr. Stewart moved that the Senate do now adjourn until Monday, January 13th, at 2 o'clock P. M.

And the question being taken on the motion made by Mr. Hays, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lunsford and Bradley, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	J. S. Wortham—11.
Sam E. English,	John McCann,	

Those who voted in the negative, were—

W. H. Anderson,	J. W. McCain,	D. H. Smith,
John R. Kemp,	J. J. Paul,	A. H. Stewart,
J. H. Lunsford,	J. H. Shearer,	G. Terry—9.

And then the Senate adjourned.

TUESDAY, JANUARY 14, 1890.

The reading of the Journal of Saturday was dispensed with.

The Speaker laid before the Senate a communication, in writing, from the Covington and Cincinnati Bridge Company.

Said communication was taken up and read as follows, viz :

COVINGTON, KY., January 10, 1890.

To the President and Members of the Senate of the Commonwealth of Kentucky :

GENTLEMEN : I have the honor to transmit herewith the annual reports of the Covington and Cincinnati Bridge Company, for the years 1888 and 1889, in accordance with section 8 of the charter of said bridge company, passed by the General Assembly of Kentucky, February 17, 1846. A copy hereof has also been transmitted to the House of Representatives.

With much respect, I have the honor to be,

Your most obedient servant,

JNO. A. JOHNSON, *Ass't Sec. C. & C. B. Co.*

**Annual Report of the Covington and Cincinnati Bridge Company, for the
Year Ending December 31, 1888.**

Balance December 31, 1887		\$ 16,624 16	
Bridge receipts—			
Tolls	\$167,444 50		
Rents	2,732 71		
			170,177 21
Bridge expenses—			
Interest and premium	\$ 1,509 46		
Collectors and employes	13,426 05		
Fuel and lights	1,874 29		
Repairs	4,201 70		
Taxes	11,254 60		
Legal expenses	300 00		
Expenses, miscellaneous	3,050 13		
		\$35,616 23	
Ferry receipts—			
Tolls			23,427 52
Ferry expenses—			
Rents	\$ 2,260 00		
Employes	5,081 23		
Repairs	478 53		
Fuel	1,950 50		
Miscellaneous expense	281 32		
		\$10,051 58	
5 per cent. bonds paid		28,000 00	
Dividends paid		97,500 00	
Cash December 31, 1888		39,061 08	
		\$210,228 89	\$210,228 89

YEAR ENDING DECEMBER 31, 1889.

Balance due December 31, 1888		\$ 39,061 08	
Bridge receipts—			
Tolls	\$141,665 99		
Rents	2,586 04		
			144,252 03
Bridge expenses—			
Collectors and employes	\$13,420 34		
Fuel and lights	1,499 25		
Repairs	3,382 72		
Taxes	9,278 50		
Legal expenses	548 50		
Miscellaneous expenses	2,152 83		
		\$30,282 14	
Ferry receipts—			
Tolls			18,601 98

Ferry expenses—

Rent	\$2,710 00		
Employes	5,695 88		
Repairs	8,953 69		
Fuel	1,859 75		
Expenses, miscellaneous	309 23		
		\$ 19,528 55	
Dividends paid		128,695 50	
Cash December 31, 1879		23,408 90	
		<u>\$201,915 09</u>	<u>\$201,915 09</u>

SUMMARY 1888.

	Bridge.	Ferry.	Total.
Receipts	\$170,177 21	\$23,427 52	\$193,604 73
Expenses	35,616 23	10,051 58	45,667 81
Earnings	\$134,560 98	\$13,375 94	\$147,936 92

SUMMARY 1889.

	Bridge.	Ferry.	Total.
Receipts	\$144,252 03	\$18,601 98	\$162,854 01
Expenses	30,282 14	19,528 55	49,810 69
Earnings	\$113,969 89	\$ 926 57	\$113,043 22

Total cost (original) bridge and ferry	\$1,871,003 65
Net earnings, 1888	147,936 92
Percentage and net earnings on cost	7 ⁹ / ₁₀ per cent.
Net earnings, 1889	113,043 22
Percentage and net earnings on cost	6 per cent.
Dividends declared for 1888, preferred	15 per cent.
Dividends declared for 1888, not preferred	$\frac{1}{2}$ per cent.
Dividends declared for 1889, preferred	15 per cent.
Indebtedness January 1, 1889—	
Dividends unclaimed	\$375 00
Miscellaneous bills	568 50
	<u>\$943 50</u>

REMARKS.

It is proper to call attention to the fact that the dividends earned in and declared on any calendar year, do not, in many

cases, correspond with the dividends paid in that same year, and this is the case with the years 1888 and 1889, as per present report. The reason is obvious, when the fact is stated that the dividends earned in the year 1888 are declared in April, July and October of that year, and January, 1889, hence the dividends paid in 1889 are part of the dividends of 1888 and part of the dividends of 1889, each year lapping over into the other. It will also be noticed that the ferry was a net loss to the company in 1889 instead of a profit, arising from the fact that a large part of its business was taken by the C. & O. R. R. bridge, thus reducing the receipts, and the further fact that the entire outfit, including the ferry-boat and the two wharf-boats were put in complete repair, necessitating an expense of \$8,800 in round numbers.

(Signed.)

JNO. A. JOHNSON, *Ass't Sec. C. & C. B. C.*

On motion of Mr. Hays :

Ordered, That said communication be referred to the Committee on the Judiciary.

On motion of Mr. Hendrick, leave of absence, indefinitely, was granted Mr. Kemp.

On motion of Mr. Hendrick, Mr. Wright was added to the Committee on the Judiciary.

On motion of Mr. Poyntz, Mr. Pieratt was added to the special committee appointed to investigate the condition of the Auditor's and Treasurer's offices.

Mr. Smith was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled :

An act to incorporate the Hart County Deposit Bank and Trust Company.

After a short time, Mr. Smith, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering said bill to a third reading, was then reconsidered.

Mr. Smith proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled :

An act to authorize the county court of Boyle county to subscribe to turnpike road companies in Boyle county, and to levy a tax to pay for same.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT. }
FRANKFORT, January 10, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent, will appoint the following-named gentlemen as Railroad Commissioners, viz : Hon. I. A. Spalding, of Union county ; Hon. John F. Hager, of Boyd county ; Hon. W. B. Fleming, of Jefferson county.

Very respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Railroads.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 14, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

George M. Abbott, Kenton county.
E. P. Bean, Jr., Bourbon county.
R. B. Baird, Carroll county.
Robert Cochran, Jefferson county.
C. V. Chisnell, Jefferson county.
James T. Ford, Jefferson county.
D. M. Hager, Johnson county.
Samuel R. Ireland, Boyd county.
Wm. R. Johnson, Jefferson county.
James Q. Lackey, Lawrence county.
W. T. Lindsay, Franklin county.
R. R. Morgan, Caldwell county.
Wm. P. Nunnally, Metcalfe county.
J. G. Offutt, Jefferson county.
W. J. Potter, Warren county.
Charlie Robinson, Clay county.
R. S. Shreve, Jefferson county.
R. S. Saunders, Daviess county.
Alexander Settle, Jackson county.
S. P. Sturgis, Union county.
M. D. Thornberry, Webster county.
T. Earl Ashbrook, Bourbon county.
R. O. Brashers, Letcher county.
Geo. R. Gorin, Warren county.
Jas. F. Holdam, Lincoln county.
I. Hoffman, Anderson county.
Proctor K. Malin, Meade county.
Joe D. Smith, Warren county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Pieratt, from the Committee on Enrollments, reported that the committee had examined an enrolled bill and a resolu-

tions, which originated in the House of Representatives, of the following titles. viz :

An act to incorporate the Planters' State Bank of Henderson ;
Resolution calling upon the President of the Agricultural and Mechanical College for certain information ;

Resolution calling upon the Auditor of Public Accounts for certain information concerning taxes collected for the Agricultural and Mechanical College ;

And had found the same correctly enrolled.

Said bill and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Pieratt reported that the Committee had performed that duty.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Stewart, from the Committee on Education—

An act to amend an act to incorporate Bethel High School, located in Christian county, Kentucky, approved March 9, 1854.

By Mr. Hays, from the Committee on Banks and Insurance—

An act amending the charter of the Farmers' and Drovers' Bank of Louisville.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled :

An act to establish a State Bureau of Information and Immigration,

Reported the same without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. English :

Ordered, That 200 copies of said bill be printed, and that said bill be recommitted to the Committee on Internal Improvements.

Mr. Smith read and laid on the table the following resolution, viz :

Resolved by the Senate, That the Auditor of Public Accounts be, and he is hereby, requested to state to the Senate, in writing, the amount of money received into the State Treasury from Auditor's agents within the last three years ; the amount paid as fees, or the per centum out of the State Treasury to Auditor's agents for the collection thereof ; also the amount paid out of the State Treasury within the last three years to attorneys and other persons not Auditor's agents, assisting in the collection of said amount, or assisting in the attempted collection of any other sum sought to be collected by the Commonwealth of Kentucky.

Which was twice read and adopted.

Mr. Hendrick read and laid on the table the following resolution, viz :

Resolved, That the Chief Clerk of the Senate be, and he is empowered to appoint a Second Assistant Clerk of the Senate, to be paid from the date of his services, and provided for in the general appropriation bill.

Which was twice read and adopted.

The Chief Clerk announced the appointment of Mr. Edward O. Leigh, of McCracken, to be Second Assistant Clerk of the Senate.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Wright—

1. A bill to amend the charter of the Green River Coal and Mining Company.

On motion of same—

2. A bill, entitled "An act to amend an act, entitled 'An act to provide for the sale and conveyance of the inchoate right of dower of married women who are confirmed lunatics.'"

On motion of Mr. Berry—

3. A bill to repeal section 9 of an act approved 20th March, 1876, entitled "An act to regulate the civil jurisdiction of justices of the peace, police judges and quarterly courts, and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks.

On motion of Mr. Anderson—

4. A bill to establish a State Bureau of Information and Immigration.

On motion of Mr. Huff—

5. A bill to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth."

On motion of Mr. Poyntz—

6. A bill to repeal section 13 of chapter 84 of the General Statutes of Kentucky, entitled "Peddlers."

On motion of Mr. Pieratt—

7. A bill to amend an act, entitled "An act to authorize the court of levy and claims of Menefee county to levy an ad valorem tax for county purposes," approved March 24, 1888.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d, 3d and 6th; the Committee on Religion and Morals the 5th; the Committee on Internal Improvements the 4th; and the Committee on Propositions and Grievances the 7th.

On motion of Mr. Huff, the Senate then adjourned.

WEDNESDAY, JANUARY 15, 1890.

The reading of the Journal of yesterday was dispensed with

Mr. Lunsford read and laid on the table the following joint resolution, viz :

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby authorized to draw his warrants upon the Treasurer at once, to relieve citizens of this State who are personally suffer-

ing from the effects of the recent tornado at and near the town of Clinton, in Hickman county ; at and near the town of Lowes, in Graves county ; and at and near the town of Wickliffe, in Ballard county. Such warrants to be drawn from time to time, and in such sums as may be deemed proper and necessary by the Governor and Auditor, the same not to exceed in the aggregate the sum of (\$10,000) ten thousand dollars, and to be used as far as possible for supplying provisions, fuel, medicines, medical attention and shelter for such sufferers. The Governor and Auditor may appoint or select local relief boards at each of said towns to assist in carrying out this resolution. They shall report in full the amount contributed to each town, and shall use only so much of the moneys hereby appropriated as they deem necessary upon satisfactory evidence. No commission, board, agent or officer appointed or acting under this resolution shall charge or receive pay for such service, and each commission, board, agent or officer receiving or distributing any of the money hereby appropriated, shall file with the Auditor a voucher, showing the disposition of such sum as they or he may receive or distribute, which voucher the Auditor shall keep on file. Any person who shall misappropriate or refuse to account for any money coming to his hands under this resolution shall be guilty of a high misdemeanor, and, upon indictment, may be fined or imprisoned, or both fined and imprisoned at the discretion of the trial jury.

2. This resolution shall take effect and be in force from its adoption.

On motion of Mr. Hendrick, the rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	William Lindsay,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	Phil Roberts,
Reuben Conner,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	J. S. Wortham,
William Goebel,	J. J. Paul,	D. W. Wright—28.
R. G. Hays,		

In the negative—none.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate Hickman College."

An act to incorporate the Shelby County Co operative Missionary Society of the Christian Church.

An act to incorporate and establish the Estill County Deposit Bank of Irvine, Estill county.

An act to incorporate the Farmers' Exchange Bank of Nicholasville.

An act to incorporate the Deposit Bank of Waddy, Shelby county.

An act to incorporate the Farmers' and Merchants' Bank of Greenup.

Resolution providing for a joint session for the election of a State Librarian and Public Printer and Binder.

Resolution calling upon the Auditor of Public Accounts for certain information concerning taxes collected for the Agricultural and Mechanical College.

Resolution calling upon the President of the Agricultural and Mechanical College for certain information.

That they had concurred in the adoption of joint resolutions, which originated in the Senate, of the following titles, viz :

Joint resolution to fix the pay of the Pages of the Senate and House of Representatives.

Resolution providing for relief of sufferers at Clinton and Wickliffe and Lowes.

Resolution directing the Librarian to sell members of the General Assembly stationery.

With an amendment to the last-named resolution.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Farmers' and Merchants' Bank, at Elkton.

An act for the benefit of James T. Gorley, of the city of Louisville.

An act to incorporate the Trigg County Farmers' Bank.

An act to incorporate the Walton Deposit Bank.

With amendments to the two last-named bills.

And the amendment to the last-named bill was taken up and concurred in.

That they had passed bills and adopted resolutions of the following titles, viz :

1. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelbyville and Louisville Turnpike Road Company," approved February 28, 1882.

2. An act to incorporate the Paducah Safe Deposit and Trust Company.

3. An act to abolish the quarterly court of Carlisle county.

4. An act to incorporate the town of New Concord, in Callo-way county.

5. An act to change the time of holding the Christian quarterly court.

6. An act to amend an act, entitled "An act to incorporate the Peoples' Bank of Yellow creek.

7. An act for the benefit of Jefferson county.

8. An act to amend an act, entitled "An act to incorporate the Windom and Hickman Turnpike Road, in Jessamine county."

9. An act changing the January and February terms of the Kenton circuit court at Covington and Independence.

10. An act relating to public notice of liens on real estate in Kenton county.

11. An act concerning the Health Department of the city of Louisville.

12. An act to prevent the giving or selling cigarettes to any child under eighteen years of age.

13. An act for the benefit of George W. Ratcliff, late sheriff of McCracken county.

14. An act authorizing the Powell county court to issue bonds in \$20,000 to build new court-house and jail.

15. An act to regulate the sale of spirituous, vinous or malt liquors in the county of Owen.

16. An act to amend an act, entitled "An act to incorporate the Bank of Pikeville, Pike county," approved ———, 1888.

17. An act for the benefit of Washington county, by which the Washington county court is not allowed to appropriate a greater sum than \$500 per mile to aid in constructing turnpike roads.

18. An act for the benefit of William Robb Procter.

19. An act to amend section 3, of chapter 97, of the General Statutes.

20. An act fixing the compensation of the sheriff of Nelson county for collecting the turnpike tax of said county.

21. Resolution relative to Feeble-minded Institute.

22. Resolution of respect to the life and memory of the Hon. Abner McClanahan, deceased, ex Representative from Bracken county.

23. Resolution raising a joint committee to visit the asylums for the insane of this Commonwealth.

24. Resolution providing for a committee to investigate the Mason-Foard Company.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

They were referred—the 1st, 7th and 8th to the Committee on Internal Improvements; the 2d, 6th and 16th to the Committee on Banks and Insurance; the 3d, 9th, 10th and 17th to the Committee on Courts of Justice; the 4th, 14th and 19th to the Committee on the Judiciary; the 11th to the Committee on Public Health; the 12th and 20th to the Committee on General Statutes; the 13th to the Committee on Finance; the 15th and 18th to the Committee on Propositions and Grievances; the 21st and 23d to the Committee on Charitable Institutions,

And the fifth-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Peterman:

The rules were suspended, and the Senate took up for con-

sideration the resolution adopted by the House of Representatives, entitled :

Resolution providing for a committee to investigate the Mason-Foard Company.

Said resolution reads as follows, viz :

WHEREAS, It is currently reported that the Mason-Foard Company, lessees of the labor in the State prisons, have repeatedly violated the obligations entered into by them with the the State of Kentucky ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of seven, four from the House and three from the Senate, to be appointed by the respective Speakers thereof, shall be raised for the purpose of investigating such charges and all other matters affecting the State's interest as involved in the contracts existing between the State and the Mason-Foard Company. That such committee shall have power to summon and compel the attendance of witnesses ; the production of papers, and to employ a stenographer for properly taking and preserving testimony.

2. This resolution shall take effect and be in force from and after its passage.

Mr. Smith moved that said resolution be referred to the Committee on Penitentiary and House of Reform.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. W. Martin,
Ben F. Bradley,	G. W. Gates,	J. M. Pieratt,
R. J. Breckinridge,	William Goebel,	C. B. Poyntz,
Reuben Conner,	R. G. Hays,	D. H. Smith,
F. W. Darby,	John K. Hendrick,	G. Terry,
W. W. Dickerson,	J. H. Lunsford,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	James H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	J. H. Shearer,
J. P. Huff,	John McCann,	A. H. Stewart,
William Lindsay,	A. L. Peterman,	J. S. Wortham—12.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on General Statutes—

An act to amend the charter of the Green River Coal and Mining Company.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to organize, supervise and maintain a common school in Common School District No. 49, on John’s creek, in Pike county,” approved April 13, 1888.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act making it a misdemeanor to injure or damage in any way telephone lines in this Commonwealth, and to fix the penalty therefor.

By Mr. English, from the Committee on Internal Improvements—

An act to authorize the citizens or other persons owning and producing timber on the waters of Big creek of Clay and Leslie counties to boom Big creek.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Conner, from the Committee on Propositions and Griev-

ances, to whom was referred a bill from the House of Representatives, entitled :

An act to allow T. P. Roberts, Sr., of the county of Callo-way, to peddle goods, wares and merchandise without license, Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled :

An act to prohibit the selling, loaning, giving or furnishing spirituous, vinous or malt liquors, or any other intoxicating drink, on election days in this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, Whoever sells, loans, gives or furnishes to any person or persons, either directly or indirectly, spirituous, vinous or malt liquors, or any other intoxicating drink, in any quantity less than ten gallons, in any town, city or county upon the day of any election therein, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined the sum of fifty dollars for each offense, which may be recovered by proceedings in any court of competent jurisdiction.

§ 2. The provisions of this act shall not apply to practicing physicians in their regular course of practice, in cases of actual sickness, or persons administering same in their own family.

§ 3. It shall be the duty of the circuit and criminal judges throughout this Commonwealth to make special mention of this act in charge to the grand juries of said courts

§ 4. This act shall take effect and be in force from and after its passage.

Sundry amendments were proposed to said bill.

Mr. Smith moved that said bill and the proposed amendments thereto be laid on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Stewart, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
Ben F. Bradley,	William Goebel,	C. B. Poyntz,
Reuben Conner,	R. G. Hays,	D. H. Smith,
W. W. Dickerson,	James H. Mulligan,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham—15.

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	Jno. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
T. L. Glenn,	J. J. Paul,	A. H. Stewart,
John K. Hendrick,	A. L. Peterman,	D. W. Wright—16.
J. P. Huff,		

On motion of Mr. Wright:

Ordered, That the further consideration of said bill be postponed, and that said bill and the proposed amendments thereto be printed, and made the special order of the day of Saturday, January 18, 1890, at 11 o'clock A. M.

The Sergeant-at-Arms announced the appointment of Lewis Harris to be assistant Janitor of the Senate, his services to date from the beginning of the present session.

Leave was granted to introduce the following bills:

On motion of Mr. Goebel—

1. A bill incorporating the Supreme Circle National Fraternal Union.

On motion of Mr. Anderson—

2. A bill, entitled "An act to amend an act, entitled 'An act to amend the revenue laws of the Commonwealth of Kentucky,' " approved May 17, 1886.

On motion of Mr. Wright—

3. A bill to amend section 3, of chapter 57, General Statutes, entitled "Injuries to Persons or Property."

On motion of Mr. Stewart—

4. A bill to protect the poll-books, ballot-boxes and election

officers at all county, State and National elections held in this Commonwealth.

On motion of Mr. Mulligan—

5. A bill to authorize the county court of Fayette county to acquire lands in said county for the establishment of an army post, and to provide a fund for the payment of the same.

By same—

6. A bill to remove the seat of government from the city of Frankfort to the city of Lexington.

On motion of same—

7. A bill to prevent trespass on real estate in the county of Fayette.

On motion of Mr. Breckinridge—

8. A bill to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City, in Boyle county."

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the committee on General Statutes the 2d, 3d and 8th; the Committee on Privileges and Elections the 4th; the Committee on the Judiciary the 5th and 7th; and the Committee on Library and Public Buildings the 6th.

Mr. Bradley, from the Committee on Railroads, to which was referred the nominations by the Governor of Hon. I. A. Spalding, of Union county, Hon. John F. Hager, of Boyd county, and Hon. W. B. Fleming, of Jefferson county, to be Railroad Commissioners, reported said nominations, with the expression of opinion that the Senate advise and consent thereto.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled:

An act to incorporate the Trigg County Farmers' Bank, in the town of Cadiz.

Which was granted.

Whereupon the Speaker appointed Mr. Hendrick said committee on the part of the Senate.

After a short time, Mr. Hendrick, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled :

An act to incorporate the Louisville Motor Steam Power Company,

Reported the same without amendment.

On motion of Mr. McCann :

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

An act to amend an act, entitled "An act to provide for the sale and conveyance of the inchoate right of dower of married women who are confirmed lunatics,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Smith :

Ordered, That said bill be printed and recommitted to the Committee on General Statutes.

Mr. Lindsay, from the Committee on Library, Public Buildings and Offices, to whom was referred leave to bring in a bill, entitled :

An act to create the Board of State House Commissioners, and to provide for the erection and completion of the Capital and other necessary public buildings at the seat of government,

Reported the same without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Lindsay,

Ordered, That said bill be printed, and recommitted to the Committee on Library, Public Buildings and Offices.

Mr. Stewart, from the Committee on Privileges and Elections, to whom was referred leave to bring in a bill, entitled :

An act to protect the poll-books, ballot-boxes and election officers at all county, State and national elections held in this Commonwealth,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Stewart,

Ordered, That said bill be printed and recommitted to the Committee on Privileges and Elections.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend chapter 28, article 17, section 1, of the General Statutes ;

An act to amend section 14, article 5, chapter 92, General Statutes ;

An act authorizing the re-recording of deeds and mortgages in Graves county, and fixing the fees of the county clerk therefor ;

An act to amend an act to incorporate the Bank of Williamsburg, approved May 9, 1884 ;

An act to repeal an act, entitled "An act to amend chapter 66, article 2, General Statutes, title 'Landlord and Tenant,' to apply to the counties of Daviess, Hancock and McLean, in so far as the same applies to the county of McLean ;"

An act to incorporate "Simpson County Bank," Franklin ;

And enrolled bills and resolutions which originated in the Senate, of the following titles, viz :

An act to incorporate the Farmers' and Merchants' Bank, at Elkton ;

An act for the benefit of James T. Gorley, of the city of Louisville ;

Joint resolution as to the pay of the Pages of the Senate and House of Representatives ;

Resolution providing for relief of sufferers at Clinton, Wickliffe and Lowes ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a resolution which originated in the Senate, entitled :

Resolution providing for the appointment of a joint committee to investigate lawlessness in Harlan and Perry counties, and report thereon,

Reported the same with an amendment.

(For resolution, see Senate Journal, January 4th.)

The amendment reported by the committee is as follows, viz :

Amend by striking out in the sixth line of the resolution the following words : " Visit those counties and "

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Stewart moved to amend said resolution as follows, viz :

Amend by striking out the words committee of five, and insert in lieu thereof the words, " Judiciary Committees."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Dickerson moved to amend said resolution as follows, viz :

Amend by striking out all the words providing for special committee, and inserting the Committee on Propositions and Grievances.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a rule of the Senate, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
Ben F. Bradley,	William Goebel,	John McCann,
R. J. Breckinridge,	R. G. Hays,	J. J. Paul,
Reuben Conner,	John K. Hendrick,	A. L. Peterman,
F. W. Darby,	J. P. Huff,	J. H. Shearer,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
Sam E. English,	J. H. Lunsford,	J. S. Wortham,
G. W. Gates,	J. W. Martin,	D. W. Wright—24.

Those who voted in the negative, were—

W. F. Berry,	Chas. B. Poyntz,	A. H. Stewart,
James H. Mulligan,	Phil Roberts,	G. Terry—7.
J. M. Pieratt,		

Resolved, That the title of said resolution be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to which was referred the proposed joint resolution introduced by Mr. Glenn, looking to an investigation of the official conduct of the Hon. W. L. Jackson, Judge of the Jefferson Circuit Court, in relation to certain matters to which the attention of the General Assembly was called by the Governor's message, and the memorials of Judge Jackson and of the Hon. H. C. Lilly, Judge of the Nineteenth Judicial District, submitted the following report, viz:

To the Senate:

Your Committee on the Judiciary, to whom were referred the proposed joint resolution of the Senator from McCracken, looking to an investigation of the official conduct of the Hon. Wm. L. Jackson, Judge of the Jefferson Circuit Court, in relation to certain matters to which the attention of the General Assembly was called by the Governor's message, and the memorials of Judge Jackson and of the Hon. H. C. Lilly, Judge of the Nineteenth Judicial District, submit the following:

The Governor, after discussing in his message the lawlessness prevalent in certain portions of the Commonwealth, and the failure of certain officers to enforce the laws, uses this language: "While the Judge of the Nineteenth Judicial District has failed to discharge the duties of his office, and has thus rendered himself amenable to legislative investigation, the Judge of the Jefferson Circuit Court has repeatedly exceeded the limits of his authority by invading the domain, both of the legislative and executive branches of the State government." As tending to support these conclusions, there are cited in the message specific acts on the part of each of these judges to which we do not deem it necessary to call special attention. Waiving any expression of opinion as to whether the acts so detailed sufficiently support the conclusions stated in the message, and also as to the sufficiency of the defensive and explanatory statements contained in the two memorials, it seems clear, in case legislative investigation shall show reasonable grounds for the belief, that either of said officers has been knowingly and willfully guilty of the misconduct imputed to him. The House of Representatives may feel warranted in preferring against such officer articles of impeachment for misdemeanors in office. Should the House take such action against either of the said judges, it will become the duty of Senators sitting as members of the court of impeachment to inquire into the charges and defences, and determine judicially the question of the guilt or innocence of the accused. It is, therefore, of the first importance that Senators shall not, by or through premature investigation, disqualify themselves for the fair and impartial discharge of the duties that may be imposed upon them by the possible action of the House of Representatives. In this view your committee does not deem it advisable for the Senate at this time to participate in the proposed investigation. If the House of Representatives shall decline or fail to prefer articles of impeachment against said judges, or either of them, then to the extent it so fails, the Senate may, with propriety, take such action in regard to the "charges" and memorials as it may deem expedient and proper.

Your committee asks that for the time being they be discharged from the further consideration of the resolution to

raise the proposed joint committee, as well as from the further consideration of said memorials and each of them.

Very respectfully,

JOHN K. HENDRICK, *Chairman*,
WILLIAM LINDSAY,
ROBT. J. BRECKINRIDGE,
D. W. WRIGHT,
D. H. SMITH,
JAS. H. MULLIGAN.

And the question being taken upon the adoption of said report, it was decided in the affirmative.

Mr. Huff, from the Committee on Public Health, to whom was referred leave to bring in a bill, entitled :

An act providing for the appointment of female physicians in certain institutions in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wright proposed an amendment to said bill.

On motion of Mr. Peterman :

Ordered, That said bill and proposed amendment be printed, and recommitted to the Committee on Public Health.

On motion of Mr. Dickerson, the rules were suspended, and the Senate took up for consideration a resolution, which originated in the House of Representatives, entitled :

Resolution of respect to the life and memory of the Hon. Abner McClanahan, deceased, ex-Representative from Bracken county.

Said resolution reads as follows, viz :

WHEREAS, Since the last session of this Assembly, it has pleased Almighty God in the wise dispensation of His providence, to call from our midst the Hon. Abner McClanahan, ex-Representative from the county of Bracken; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the State has lost an active, conscientious and conservative Representative; his county a worthy and

honorable citizen ; his friends an affable companion and friend, and his family an affectionate and devoted husband and father.

2. *Resolved*, That we tender to the people of his county and his family our sincere sympathy and condolence in the loss sustained by his death.

3. *Resolved*, That these resolutions be spread upon the Journal of this House, and a copy of them be engrossed and forwarded to the family of the deceased, and that, as an additional mark of our respect to his memory, this House do now adjourn.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

On motion of Mr. Dickerson, the Senate then adjourned.

THURSDAY, JANUARY 16, 1890.

The regular Speaker, Hon. James W. Bryan, being absent, Hon. Harry Glenn, Clerk, called the Senate to order, and announced that an election would be held to elect a Speaker, *pro tem.*, of the Senate, and that nominations were in order for said office.

Whereupon Mr. English nominated Hon. D. H. Smith, of the Thirteenth District, as a suitable person to fill said office.

And no other nomination being made, and the vote being taken, Mr. Smith was unanimously elected Speaker, *pro tem.*, of the Senate, and thereupon appeared and took the oath required by the Constitution and laws of the State of Kentucky, and thereupon took the Chair and called the Senate to order.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled :

An act to incorporate the Hart County Deposit Bank and Trust Company.

That they had adopted resolutions and passed bills of the following titles, viz :

1. Resolution providing for a joint committee to re-apportion the State into Senatorial and Representative Districts.

2. Resolution raising a joint committee to visit and investigate the condition of affairs concerning the Branch Penitentiary at Eddyville.

3. Resolution fixing the pay of the Janitors and Assistant Janitors of the Senate and House of Representatives.

4. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate Hickman College,'" approved April 20th, 1888.

5. An act to amend an act to establish and maintain a graded free school in the town of Harrodsburg, Ky., approved March 15, 1876.

6. An act to amend an act, entitled "An act to establish a system of public graded schools in District No. 47, East Point.

7. An act for the benefit of Mrs. Daisy E. Harvey, common school teacher in Colored School District No. 6, Fulton county.

8. An act to authorize the Secretary of State to furnish the county of Leslie with the Reports of the Court of Appeals and Acts of the General Assembly.

9. An act to amend the charter of the town of Olive Hill, in Carter county, changing boundary lines.

10. An act to give Knott county her share in the surplus school bonds of Floyd, Breathitt, Perry and Letcher counties.

11. An act to amend the charter of the Louisville and Jeffersonville Bridge Company.

12. An act for the benefit of Miss Lula Simpkins.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

The 3d, the last-named resolution, was taken up, twice read and concurred in,

And the others were referred—the 1st to the Committee on Privileges and Elections ; the 2d to the Committee on Penitentiary and House of Reform ; the 4th, 5th, 6th, 7th and 10th to the Committee on Education ; the 8th to the Committee on Gen-

eral Statutes ; the 9th to the Committee on Propositions and Grievances ; the 11th to the Committee on Railroads ; and the 12th, the last-named bill, was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in that body, entitled :

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved April 5, 1870, and to divide the city of Hopkinsville into wards and to provide for councilmen.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hendrick :

The rules were suspended, and said bill was ordered to be read a third.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the city of Hopkinsville shall be, and is hereby, divided into seven distinct and separate wards, which shall be known as the First, Second, Third, Fourth, Fifth, Sixth and Seventh wards, respectively. First. All that portion of the said city of Hopkinsville included within the following boundary, shall be called and known as the "First Ward" : Beginning on the river at the foot of Second street ; thence eastward with Second to Clay street ; thence southward with Clay to Seventh street ; thence westward with Seventh street to the river ; thence up the river to the beginning. Second. All that portion of the said city of Hopkinsville included within the following boundary shall be called and known as the "Second Ward" : Beginning on the river at the foot of Seventh street ; thence eastward with Seventh to Railroad street ; thence southward with Railroad to Fourteenth street ; thence westward with Fourteenth street to Clay street ; thence southward with Clay street to Fifteenth street ; thence westward with the line of Fifteenth street, and with Fifteenth street and the Canton road, to the city limits ; thence with the city limits, northward, to the river, and up the river to the

beginning. Third. All that portion of said city of Hopkinsville included in the following boundary shall be called and known as the "Third Ward": Beginning at the intersection of Ninth and Railroad streets; thence with Railroad street, southward, to the city limits; thence with city limits, eastward, to Ninth street; thence with Ninth street, westward, to the beginning. Fourth. All that portion of said city of Hopkinsville included within the following boundary shall be called and known as the "Fourth Ward": Beginning at the intersection of Fourth and Clay streets; thence with Fourth street, eastward, to its intersection with Seventh street; thence eastwardly with Seventh street to the city limits; thence in a southerly direction with the eastern boundary of said city to Ninth street; thence with Ninth street, westwardly, to Railroad street; thence northwardly with Railroad street and the Louisville & Nashville Railroad to Seventh street; thence westwardly with Seventh street to Clay street; thence northwardly with Clay street to the beginning. Fifth. All that portion of said city of Hopkinsville included within the following boundary shall be called and known as the "Fifth Ward": Beginning at the foot of Second street, on the river; thence eastward with Second street to Clay street; thence southward with Clay to Fourth street; thence eastward with Seventh street to the city boundary; thence westward with the city boundary to the river; thence down the river with its meanders to the beginning. Sixth. All that portion of the city of Hopkinsville included in the following boundary shall be called and known as the "Sixth Ward": Beginning at the intersection of Railroad and Fourteenth streets; thence with Fourteenth street, westward, to Clay street; thence southward with Clay street to the line of Fifteenth street; thence westward, in a line with Fifteenth street and with Fifteenth street and the Canton road, to the city boundary; thence southward and eastward with the city boundary to the track of the Louisville & Nashville railroad; thence with said railroad to the beginning. Seventh. All that portion of said city of Hopkinsville included within the following boundary shall be called and known as the "Seventh Ward": Beginning at the intersection of the Louisville & Nashville railroad with the northern boundary of the city of Hopkinsville, at the railroad bridge; thence with the line of the city boundary, northwest and southwest and southward, to the river; thence up the river; thence up the river with its meanders to the beginning.

§ 2. The legislative powers of the said city shall be vested in seven councilmen, whose qualifications shall be the same as now provided by law, and each of the said wards shall be entitled to one, and only one, member of the board of councilmen of the said city, who shall, at the time of his election and membership, be a *bona fide* resident of the ward from which he shall be elected. In case of his removal from the ward from which he

is chosen his office shall be declared vacant, and the vacancy filled as now provided by law.

§ 3. The several voting places of the said wards shall be as follows: For the First Ward, at the city court-house; for the Second Ward, at Hipkins' livery stable; for the Third Ward, at the Planters' warehouse; for the Fourth Ward, at Wheeler's warehouse; for the Fifth Ward, at the Rock Bridge stemmery, on North Main street; for the Sixth Ward, at E. L. Foulks' coal yard; for the Seventh Ward, at Armstrong's livery stable, near Seventh-street bridge; but the board of councilmen may, from time to time, change these several voting places, or any of them, in their discretion: *Provided*, That the votes of the voters of the several wards above enumerated shall in no election for city officers, be taken, recorded or received outside the limits of the particular ward in which such voter or voters shall reside at the time.

§ 4. It shall be unlawful at any election for councilmen, for the voters of the several wards above enumerated, to vote for any candidate or person for councilman of the said city, and such candidate or person so voted for, for said office of councilman, shall be a resident of the ward in which such voter resides.

§ 5. No person shall be deemed a qualified voter for the office of councilman of said city, who has not been, for at least sixty days next preceding the election, a *bona fide* resident of the ward in which he proposes to vote.

§ 6. Subsection 1, of section 13, of article 3, and the words, "when laid off and established by the board of councilmen as hereinafter provided," in the first section of said article 3 of the act, of which this is an amendment, are hereby repealed, and hereafter the board of councilmen of said city shall have no authority to divide or subdivide said city into wards.

§ 7. This act shall take effect from and after its passage: *Provided*, That the term of office of the present board of councilmen shall remain as now fixed by law.

§ 8. All laws and parts of law in conflict with this act are hereby repealed.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Newman, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	A. L. Peterman,
W. F. Berry,	R. G. Hays,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	C. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,

Reuben Conner,	James H. Mulligan,	D. H. Smith,
F. W. Darby,	J. W. McCain,	G. Terry,
W. W. Dickerson,	John McCann,	J. S. Wortham,
Sam E. English,	John P. Newman,	D. W. Wright—25.
G. W. Gates,		

Those who voted in the negative, were—

J. J. Paul,	Phil Roberts,	A. H. Stewart—3.
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Resolved, That the title of said bill be as aforesaid.

The Speaker laid before the Senate a communication from the Sinking Fund Commissioners, being a statement of the receipts and disbursements of the Sinking Fund from January 1, 1888, to January 1, 1890, as required by chapter 101, section 10, of the General Statutes.

Said communication was taken up and read as follows :

STATE OF KENTUCKY,	}
OFFICE AUDITOR PUBLIC ACCOUNTS,	
FRANKFORT, January 10, 1890.	

To the Honorable Speaker of the Senate :

SIR : As required by chapter 101, section 10, of the General Statutes, I hereby respectfully transmit a statement of the receipts and disbursements of the Sinking Fund from January 1, 1888, to January 1, 1890.

With great respect, your obedient servant,

S. B. BUCKNER, *Chairman,*
Board of Com'rs of the Sinking Fund.

Report of Commissioners of the Sinking Fund.

RECEIPTS.

1887.		
Dec. 31.	To balance in Treasury	\$329,646 03
1888.		
Jan. 31.	To transfer from revenue	40,707 31
Feb. 29.	To transfer from revenue	6,919 56
Mar. 31.	To transfer from revenue	} 20,761 88
April 30.	To transfer from revenue	
May 31.	To transfer from revenue	} 76,770 10
June 30.	To transfer from revenue	
July 31.	To transfer from revenue	191,117 30
Aug. 31.	To transfer from revenue	21,695 05
Sept. 30.	To transfer from revenue	79,572 17
Oct. 31.	To transfer from revenue	21,176 32
Nov. 30.	To transfer from revenue	} 71,216 64
Dec. 31.	To transfer from revenue	
		<hr/> \$859,582 36

DISBURSEMENTS.

1888.

Jan. 31.	By interest on military bonds (6 per cent.) . . .	\$ 5,010 00	
Feb. 29.	By interest on State educational bond (6 per cent.)	39,810 00	
Mar. 31.	By contingent expense account	40 00	
Feb. 29.	By interest on county educational bond (6 per cent.)	11,368 40	
April 30.	By seven coupons on military bonds (\$30) . .	210 00	
May 28.	By interest on \$500,000 funding bonds (4 per cent.)	10,000 00	
June 30.	By transfer into revenue, under act March 11, 1876	150,000 00	
July 1.	By interest on State educational bond	39,810 00	
July 1.	By interest on county educational bond	11,368 40	
July 1.	By interest on military bonds	5,220 00	
Aug. 31.	By Tate defalcation (this amount charged, sinking fund	26,290 27	
Sept. 30.	{ This amount over transferred from revenue, and now returned to general expense }	143,337 98	
Oct. 31.			
Nov. 27.	By interest on \$500,000 funding bonds (4 per cent.)	10,000 00	
		<hr/>	\$452,465 05
Dec. 31.	To balance in Treasury		\$407,117 31

RECEIPTS.

1888.

Dec. 13.	To balance in Treasury	\$407,117 31
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1889.

Jan. 31.	To transfer from revenue	40,320 63	
Feb. 28.	To transfer from revenue	31,155 75	
Mar. 31.	To transfer from revenue	28,556 30	
April 30.	To transfer from revenue	5,731 90	
May 31.	To transfer from revenue	21,049 20	
June 30.	To transfer from revenue	10,475 24	
July 31.	To transfer from revenue	62,071 23	
Aug. 31.	To transfer from revenue		
Sept. 30.	To transfer from revenue	58,482 46	
Oct. 31.	To transfer from revenue	37,670 96	
Nov. 30.	To transfer from revenue	120,954 18	
Dec. 31.	To transfer from revenue		
		<hr/>	\$823,585 16

DISBURSEMENTS.

1889.

Jan. 1.	By interest on State educational bond (6 per cent.)	\$ 39,810 00
Jan. 1.	By interest on county education bond (6 per cent.)	11,368 40

Jan. 1.	By interest on military bonds (6 per cent.) . .	\$5,010 00	
April 6.	By Tate defalcation commissioners (3), \$1,000 each	3,000 00	
April 6.	By contingent expense account	400 00	
May 11.	By transfer into revenue, under act March 11, 1876	300,000 00	
May 27.	By interest on \$500,000 refunding bonds (4 per cent.)	10,000 00	
May 28.	By interest on military bonds	210 00	
July 1.	By interest on State educational bonds (6 per cent.)	39,810 00	
July 1.	By interest on county educational bonds (6 per cent.)	11,368 40	
July 1.	By interest on military bonds	5,200 00	
Nov. 25.	By interest on \$500,000 (4 per cent.)	10,000 00	
		<hr/>	\$436,196 80
By balance in Treasury January 1, 1890 . . .			<hr/>
			<hr/>
			\$387,388 36

On motion of Mr. Dickerson :

Ordered, That said communication be printed, and referred to the Committee on the Sinking Fund.

Mr. Wortham, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled :

An act to amend section 1, article 9, chapter 96, of the General Statutes,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, article 9, chapter 96, General Statutes be amended, by adding thereto, immediately after the word "granted," in the eighteenth line, the following words, to-wit: "unless the same be indorsed by the county superintendent, of the county of which the same was granted, made within twenty days before the day on which the holder of same has contracted to begin teaching a public school out of such county, which indorsement shall be in substance, that the holder of the within certificate is a person of good morals and correct habits.

§ 2. The fee for making and signing the indorsement herein provided for shall be 50 cents.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Reynolds moved that said bill be recommitted to the Committee on Education.

Pending the consideration of which, the hour of 12 o'clock m. having arrived, the Speaker announced the orders of the day.

Mr. Glenn moved that the rules be suspended, and the orders of the day be postponed until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the motion made by Mr. Reynolds to recommit said bill to the Committee on Education, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Stewart, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	James H. Mulligan,	C. B. Poyntz,
Ben F. Bradley,	John P. Newman,	B. F. Reynolds,
R. J. Breckinridge,	J. J. Paul,	Phil Roberts,
F. W. Darby,	A. L. Peterman,	J. H. Shearer,
R. G. Hays,	J. M. Pieratt,	A. H. Stewart—16.
J. W. Martin,		

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
Reuben Conner,	T. L. Glenn,	D. H. Smith,
W. W. Dickerson,	William Goebel,	J. S. Wortham,
Sam E. English,	John K. Hendrick,	D. W. Wright—12.

The Senate, according to order, took up for consideration a resolution and a bill, which originated in the Senate, of the following titles, viz :

Resolution directing the Librarian to sell members of the General Assembly stationery.

An act to incorporate the Trigg County Farmers' Bank.

The question being on concurring in the amendments adopted by the Senate and House of Representatives to said resolution and bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Lindsay read and laid on the table the following joint resolution, viz :

1. *Be it resolved by the Senate and House of Representatives of the General Assembly of the Commonwealth of Kentucky*, That the two Houses meet in joint session on Tuesday, the 21st day of January, at 12 o'clock M., for the purpose of electing a State Librarian.

2. This resolution to take effect from and after its adoption.

Which, under the rule, lies one day on the table.

On motion of Mr. Lindsay—

By unanimous consent the rules were suspended, and said resolution was taken up, twice read and adopted.

Leave was granted to bring in the following bills :

On motion of Mr. Wright—

1. A bill relating to branding logs on Big Barren river and its tributaries.

On motion of Mr. Pieratt—

2. A bill to re-incorporate the town of Maytown, Ky.

On motion of Mr. Mulligan—

3. A bill to amend an act, to amend an act, to further amend an act, entitled "An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State," approved March 10, 1876, approved May 12, 1884.

On motion of Mr. Shearer—

4. A bill to incorporate the Burkesville and North Western Railroad Company.

Ordered, That the Committee on General Statutes prepare and bring in the 1st ; the Committee on Propositions and Grievances the 2d ; the Committee on Charitable Institutions the 3d ; the Committee on Railroads the 4th.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled :

An act to incorporate the Planters' State Bank of Henderson.

Which was granted.

Whereupon the Speaker appointed Mr. Berry said committee on the part of the Senate.

After a short time, Mr. Berry, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Berry moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Berry proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays was appointed a committee to ask the withdrawal from the House of Representatives the announcement of the passage by the Senate of a bill, entitled :

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

After a short time, Mr. Hays, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hays moved to lay said bill upon the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. McCann, from the Committee on Courts of Justice, to whom was recommitted a bill from the House of Representatives, entitled :

An act to incorporate the Louisville Steam Motor Power Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Louisville Safety Vault and Trust Company.”

By Mr. Poyntz, from the Committee on Finance—

An act for the benefit of George W. Ratcliffe, late sheriff of McCracken county.

Ordered, That said bills be read a third time.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled :

An act to amend an act, entitled “An act to establish a Court of Common Pleas in the county of Christian,” approved February 6th, 1888.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham—

Ordered, That said bill be printed and recommitted to the Committee on Courts of Justice.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

An act to repeal section 9, of an act approved 20th March, 1876, entitled “An act to regulate the civil jurisdiction of justices of the peace, police judges and quarterly courts and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That said bill be recommitted to the Committee on General Statutes.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Savings Bank, at Louisville.

By same—

An act to incorporate the Peoples' Bank of Owensboro.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846.

By same—

An act to amend an act, approved February 9, 1886, and entitled "An act to amend an act, entitled 'An act to incorporate the Covington and Cincinnati Pier Bridge Company,' " passed April 4, 1884.

By same—

An act to regulate bridges spanning the Ohio river from points within the county of Kenton, and tolls on the same.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City, in Boyle county."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed joint resolutions and a bill, which originated in the Senate, of the following titles, viz :

Resolution providing for relief of sufferers at Clinton, Wickliffe and Lowes.

Joint resolution as to the pay of the Pages of the Senate and House of Representatives.

An act to incorporate the Farmers' and Merchants' Bank, at Elkton.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz :

An act to incorporate the Hart County Deposit Bank and Trust Company.

And had found the same correctly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, January 16, 1890. }

Gentlemen of the Senate :

I hereby recommend, and by and with the advice and consent of the Senate, will appoint Ed. Porter Thompson Librarian to fill the unexpired term of the late Mrs. Hanson.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Lindsay :

Ordered, That said nomination be referred to the Committee on the Judiciary.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, January 14, 1890. }

Gentlemen of the Senate and House of Representatives :

Your attention is respectfully invited to a consideration of the doubtful interpretation of section 9, article 6, of chapter 33, of the General Statutes, on the subject of the resignation of officers. There appears to be doubt as to whether the tender of a resignation is in fact a completion of the act, or whether an acceptance of the resignation is necessary to relieve the incumbent from the discharge of the duties of the office.

It is suggested that the General Assembly, by appropriate legislation, shall distinctly define the act which shall constitute a completion of the resignation.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Wright :

Ordered, That said message be referred to the Committee on General Statutes.

On motion of Mr. Stewart, leave of absence, indefinitely, was granted Mr. Huff.

On motion of Mr. Hays, the Senate then adjourned.

FRIDAY, JANUARY 17, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act to incorporate the Bank of Williamsburg, approved May 9, 1884.

An act to amend chapter 28, article 17, section 1, of the General Statutes.

An act to amend section 14, article 5, chapter 92, General Statutes.

An act authorizing the re-recording of deeds and mortgages in Graves county, and fixing the fees of the county clerk therefor.

An act to repeal an act, entitled "An act to amend chapter 66, article 2, General Statutes, title 'Landlord and Tenant,' to apply to the counties of Daviess, Hancock and McLean, in so far as the same applies to the county of McLean."

That they had passed bills of the following titles, viz :

An act to incorporate the Kentucky Safety Vault and Trust Company, of Paducah.

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Pearce, Fant & Co., at Flemingsburg," approved April 30, 1888.

An act to establish the Pembroke Deposit Bank, in Christian county.

An act to incorporate the Peoples' Savings Bank and Trust Company, of Louisville, Kentucky.

With an amendment to the last-named bill.

That they had passed bills of the following titles, viz :

1. An act for the benefit of Gould and Harris, of Henry county.

2. An act to amend subsection 1, of section 4, article 12, chapter 38, of the General Statutes.

3. An act to authorize the sale of the Paris and Ruddell's Mills Turnpike Road, Number 2, in Bourbon county.

4. An act to incorporate the Williamsburg Banking Company.

5. An act to incorporate the Farmers' Bank of Calloway, of Murray, Kentucky.

6. An act to amend the charter of the Quicks Run and Ohio River Turnpike Road Company.

7. An act to fix the salary of the State Treasurer.

8. An act to incorporate the town of Centertown, in Ohio county.

9. An act to incorporate the Fox Creek and Mercer County Turnpike Road Company, in Anderson county.

10. An act to amend an act, entitled "An relating to the working of public roads, in Washington county."

11. An act to authorize the county court of claims to levy an ad valorem and per capita tax in Adair county.

12. An act to legalize and declare valid, an order of the Bullitt County Court of Claims, made on the 21st day of January, 1889, levying an ad valorem tax of fifteen cents on each one hundred dollars worth of property in Bullitt county, for county purposes.

13. An act authorizing the county court of claims of the county of Bullitt, to levy an annual tax of twenty cents on each one hundred dollars of value of real and personal property in the county, for county purposes.

14. An act for the building and maintaining of bridges on county roads in the county of Campbell.

15. An act for the benefit of John Ryan, jailer of Fleming county.

16. An act to amend an act to incorporate the Henry County Trust Company, at New Castle.

17. An act to incorporate the Bank of New Castle, in Henry county.

18. An act to fix the time of holding the quarterly courts in Whitley county, Ky.

19. An act to repeal an act, entitled "An act to provide for repairing and keeping in repair, the public roads in Lincoln county," approved February 24, 1888.

20. An act to amend section 7, of the charter of the Knob

Lick and McCormack's Church Turnpike Road Company, approved April 8, 1880.

21. An act for the benefit of Pat Punch, jailer of Montgomery county.

22. An act for the benefit of J. L. James.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 15th and 21st to the Committee on Claims; the 2d, 12th and 13th to the Committee on General Statutes; the 3d, 6th and 11th to the Committee on Agriculture and Manufactures; the 4th, 5th, 16th and 17th to the Committee on Banks and Insurance; the 7th to the Committee on Finance; the 8th to the Committee on Appropriations; the 9th, 19th and 20th to the Committee on the Judiciary, and the 15th and 18th to the Committee on Courts of Justice,

And the last-named bill was ordered to be read a third time.

The constitutional provision as to [the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend and reduce into one the acts incorporating the town of Paintsville.

By Mr. Lindsay, from the same committee—

An act to incorporate the Bank of Whitesville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following

titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Bank of Pikeville, Pike county,” approved ———, 1888.

By same—

An act to amend an act, entitled “An act to incorporate the People’s Bank of Yellow creek.”

By same—

An act to incorporate the Paducah Safe Deposit and Trust Company.

By Mr. Roberts, from the Committee on Public Health—

An act concerning the Health Department of the city of Louisville.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled :

An act to incorporate Simpson County Bank, Franklin.

Which was granted.

Whereupon the Speaker appointed Mr. English said committee on the part of the Senate.

After a short time, Mr. English, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk’s desk.

Mr. English moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Leave was granted to bring in the following bills :

On motion of Mr. McCain—

1. A bill to amend an act, entitled “Revenue and Taxation,” approved May 17th, 1886.

On motion of Mr. McCann—

2. A bill to incorporate the Louisville Dime Savings Company.

On motion of Mr. Poyntz—

3. A bill to provide for the supply and maintenance of electric lights at the penitentiary, located at Frankfort.

On motion of Mr. Hays—

4. A bill making certain practices in life insurance misdemeanors, and providing for the punishments and other remedy thereof.

On motion of Mr. Newman—

5. A bill to authorize the city of Dayton, in Campbell county, to issue bonds, and refund her present indebtedness.

On motion of Mr. Dickerson—

6. A bill to provide punishment for persons who break into dwelling houses and sleeping apartments for the purpose of stealing anything of value therefrom.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 6th ; the Committee on Banks and Insurance the 2d and 4th ; the Committee on House of Reform the 3d ; and the Committee on Immigration and Labor the 5th.

Mr. Wright moved the following resolution, viz :

Resolved, That the Speaker appoint a special committee upon Geological Survey, to be composed of not less than seven members.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	Chas. B. Poyntz,
W. F. Berry,	William Lindsay,	B. F. Reynolds,
Ben F. Bradley,	J. W. Martin,	Phil Roberts,
Reuben Conner,	J. W. McCain,	J. H. Shearer,
W. W. Dickerson,	John McCann,	D. H. Smith,

Sam E. English,	John P. Newman,	A. H. Stewart,
G. W. Gates,	J. J. Paul,	G. Terry,
T. L. Glenn,	A. L. Peterman,	J. S. Wortham,
R. G. Hays,	J. M. Pieratt,	D. W. Wright—27.

In the negative—none.

Mr. Dickerson moved the following resolution, viz :

Resolved by the Senate of Kentucky, That the Governor be requested to have printed for the use of the Committees on Penitentiary and House of Reform one hundred copies of the several contracts for the building of the Eddyville Penitentiary and the propositions of Jordan and Clark.

Which was twice read and adopted.

The Speaker laid before the Senate the response of the Auditor to a resolution, calling upon the Auditor for a statement as to amount of money received into the State Treasury from Auditor's agents within the last three years, the amount paid as fees or per centum out of the State Treasury to Auditor's agents for the collection thereof ; also the amount paid out of the State Treasury within the last three years to attorneys and other persons not Auditor's agents, assisting in the collection of said amount, or assisting in the attempted collection of said amount, or assisting in the attempted collection of any other sum sought to be collected by the Commonwealth of Kentucky.

Said communication read as follows, viz :

OFFICE AUDITOR PUBLIC ACCOUNTS, }
FRANKFORT, KY., January 17, 1890. }

Hon. JAS. W. BRYAN, Speaker of the Senate :

DEAR SIR : In response to Senate resolution of January 14, 1890, requesting me to furnish certain information concerning the amount of money received into the Treasury from Auditor's agents within the last three years, the amount paid as fees out of the Treasury for collection of same, etc., I beg leave to submit the following :

From January 1, 1887, to December 31, 1887, there was paid by county clerks into the Treasury of the State, through the action of Auditor's agents, as provided by sections 2 and 4, of the act of April 29, 1880 .	\$ 49,534 00
By Auditor's agents direct	8,295 25
Total amount collections, 1887	\$ 57,829 25

Amount brought forward	\$57,829 25
Commissions paid agents on said sum	10,330 00
From January 1, 1888, to December 31, 1888, there was paid in county clerks into the Treasury of the State, through the action of Auditor's agents, as provided by sections 2 and 4, of the act of April 29, 1880	48,665 00
By Auditor's agents direct	17,744 14
Collected by Auditor from distillers through action of Auditor's agents	10,866 25
Total amount collections, 1888	\$ 77,275 39
Commissions paid agents on said sum	11,572 34
From January 1, 1889, to December 31, 1889, there was paid by county clerks into the Treasury of the State, through the action of the Auditor's agents, as provided by sections 2 and 4, of the act of April 29, 1880	59,711 00
By Auditor's agents direct	16,227 37
Total amount collections, 1889	\$ 75,938 37
Commissions paid agents on said sum	14,646 41
Total collections for three years	\$211,043 01

In the item of \$10,866.25 "collected by Auditor from distillers, through action of Auditor's agents," there was no commission paid, as the distilleries paid agents the penalty, and the State was put to no cost whatever.

No other fees or commissions have been paid by the State in the collection of the above than those named.

Respectfully submitted,

L. C. NORMAN, *Auditor*.

On motion of Mr. Newman :

Ordered, That 100 copies of said communication be printed and laid upon the desks of the members.

On motion of Mr. Bradley :

The rules were, by unanimous consent, suspended, and he reported a bill, entitled :

An act entitled an act to amend an act, entitled "An act to amend and reduce into one, the several acts concerning the town of Versailles," approved March 6th, 1868.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled :

An act to incorporate the Union Dime Savings' Bank,

Reported the same without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays :

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

A bill to amend an act, entitled an act regulating the exemption of personal property from execution attachment, distress for rent and fee-bills in this Commonwealth,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

A bill to amend section 8, article 9, chapter 92, of the General Statutes,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled :

A bill to amend section 1, article 29, chapter 29, of the General Statutes," entitled "Crimes and Punishments."

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Glenn, from the Committee on Enrollments, reported that

the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Louisville Steam Moter Power Company ;

An act making it a misdemeanor to injure or damage in any way telephone lines in this Commonwealth, and to fix the penalty therefor ;

An act to change the time of holding the Christian quarterly court ;

An act to authorize the citizens or other persons owning and producing timber on the waters of Big creek, of Clay and Leslie counties, to boom Big creek ;

An act for the benefit of George W. Ratcliff, late sheriff of McCracken county ;

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company ;"

An act for the benefit of Miss Lula Simpkins ;

Resolution of respect to the life and memory of the Hon. Abner McClanahan, ex-Representative from Bracken county ;

Resolution fixing the pay of the Janitors and Assistant Janitors of the Senate and House of Representatives ;

And an enrolled bill and resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Walton Deposit Bank ;

Resolution directing the Librarian to sell members of the General Assembly stationery ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. English, from the Committee on Internal Improvements, to whom was recommitted a bill, which originated in the Senate, entitled

An act to establish a State Bureau of Information and Immigration.

Reported the same without amendment.

On motion of Mr. Hays :

Ordered, That the further consideration of said bill be postponed, and that said bill be postponed, and that said bill be made the special order of the day for Tuesday next, January 21st, at 11 o'clock, A. M.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 17, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Charles P. Barton, Jefferson county.
George DuRelle, Jefferson county.
Geo. B. Eastin, Jefferson county.
F. Hagan, Jr., Jefferson county.
James A. Kerr, Jefferson county.
W. E. Mortimore, Jefferson county.
Joseph S. Murray, Jefferson county.
John R. M. Polk, Jefferson county.
E. Pottorff, Carroll county.
C. W. Stone, Woodford county.
Phelps Sasseen, Henderson county.
J. F. Tarpley, Simpson county.
Samuel Webb, Jefferson county.
Walter Evans, Jefferson county.
Ben Selby, Henry county.
John B. Phipps, Montgomery county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

On motion of Mr. Hays the Senate then adjourned.

SATURDAY, JANUARY 18, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to amend the charter of and to reduce into one the acts relating to the Masonic Temple Company.

2. An act to incorporate the Third English Evangelical Lutheran Church, of Louisville.

3. An act declaring the sheriff of Marion county to be *ex officio* railway tax collector of said county.

4. An act to incorporate the Lexington Charity Organization Society.

5. An act to amend sections 3 and 5, and subsection 3 of section 6, of chapter 103, General Statutes, title "Strays."

6. An act to amend chapter 16, article 2, and sections 5 and 12, of the General Statutes.

7. An act requiring the payment of all fines and forfeitures to the Trustee of the Jury Fund.

8. An act to incorporate the Kinniconick and Freestone Railroad Company.

9. An act for the benefit of John W. Ridge way, sheriff of Henry county.

10. An act to amend section 7, of the town charter of the town of Falmouth.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 3d to the Committee on Courts of Justice; the 2d and 4th to the Committee on Religion and Morals; the 5th and 6th to the Committee on General Statutes; the 7th to the Committee on Finance; the 8th to the Committee on Railroads.

And the two last-named bills were ordered to be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Bank Josephine, of Prestonsburg, Kentucky.

By Mr. Wright, from the Committee on General Statutes—

An act relating to branding logs on Big Barren river and its tributaries.

By same—

An act to repeal section 9, of an act approved 20th March, 1876, entitled "An act to regulate the civil jurisdiction of justices of the peace, police judges and quarterly courts and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks, in so far as said section 9 applies to Union county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. McCann, from the Committee on Courts of Justice—

An act to fix the time of holding the quarterly courts in Whitley county, Ky.

By same—

An act for the building and maintaining of bridges on county roads in the county of Campbell.

By same—

An act to amend an act, entitled “An act relating to the working of public roads in Washington county.

By Mr. Wright, from the Committee on General Statutes—

An act to legalize and declare valid an order of the Bullitt County Court of Claims made on the 21st day of January, 1889, levying an ad valorem tax of fifteen cents on each one hundred dollars' worth of property in Bullitt county for county purposes.

By same—

An act authorizing the county court of claims of the county of Bullitt to levy an annual tax of twenty cents on each one hundred dollars of value of real and personal property in the county for county purposes.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was recommitted a bill, entitled :

An act to make it unlawful for any person in this Commonwealth to give, sell or barter cigarettes to certain children, or to others for their use, or to induce such children to use the same, and providing penalties for the violation thereof,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*. It shall be unlawful for any person or persons in this Commonwealth to give, sell, or barter, either directly or indirectly, to any child or children, under the age of eighteen years, any cigarette, to be smoked by said child or children, or to give, sell, or barter the same, to any person whomsoever, with knowledge that the same is to be smoked by any child under the age aforesaid, or to persuade, advise, counsel, or compel any child under said age to smoke same.

§ 2. Any person who violates the provisions of the aforesaid section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five nor more than twenty-five dollars, or imprisoned not more than thirty days, or both so fined and imprisoned.

§ 3. This act shall take effect from its passage.

Mr. Newman proposed to amend said bill as follows, viz :

“Amend by striking out eighteen years of age, and insert in lieu fifteen years of age.”

Mr. Hays moved to lay on the table said bill and the proposed amendment thereto.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Smith, were as follows, viz :

In the affirmative—W. F. Berry—1.

Those who voted in the negative, were—

W. H. Anderson,	James H. Mulligan,	B. F. Reynolds,
Ben F. Bradley,	J. W. McCain,	J. H. Shearer,
R. J. Breckinridge,	John McCann,	D. H. Smith,
Sam E. English,	John P. Newman,	A. H. Stewart,
T. L. Glenn,	Chas. Patteson,	G. Terry,
R. G. Hays,	J. J. Paul,	J. S. Wortham,
John K. Hendrick,	A. L. Peterman,	D. W. Wright—22.
John R. Kemp,		

The question was then taken on the adoption of the amendment proposed by Mr. Newman to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. W. Martin,	John P. Newman—5.
R. G. Hays,	James H. Mulligan,	

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	D. H. Smith,
Ben F. Bradley,	J. W. McCain,	A. H. Stewart,
R. J. Breckinridge,	Chas. Patteson,	G. Terry,
Sam E. English,	J. J. Paul,	J. S. Wortham,
T. L. Glenn,	B. F. Reynolds,	D. W. Wright—17.
John K. Hendrick,	J. H. Shearer,	

Mr. Smith proposed to amend said bill as follows, viz ;

Insert after the word eighteen, in line 4, section “one,” the

following, viz: "Unless he has reasonable ground to believe said person is over eighteen years of age."

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Newman, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. Martin,	J. H. Shearer,
Ben F. Bradley,	James H. Mulligan,	D. H. Smith,
R. J. Breckinridge,	J. W. McCain,	A. H. Stewart
Sam E. English,	J. J. Paul,	G. Terry,
T. L. Glenn,	A. L. Peterman,	J. S. Wortham
John K. Hendrick,	B. F. Reynolds,	D. W. Wright—19.
John R. Kemp,		

Those who voted in the negative, were—

W. F. Berry,	John McCann,	Chas. Patteson—5.
R. G. Hays,	John P. Newman,	

Resolved, That the title of said bill be as aforesaid.

Mr. Anderson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Anderson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hendrick moved to reconsider the vote by which the Senate had concurred in an amendment adopted by the House of Representatives, to a bill which originated in the Senate, entitled:

An act to incorporate the Trigg County Farmers' Bank.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of

the passage by the House of Representatives of a bill, which originated in the House of Representatives, entitled:

An act to incorporate the Trigg County Farmers' Bank.

Which was granted, and the bill delivered to the messenger.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled:

An act to incorporate the Trigg County Farmers' Bank.

With an amendment thereto.

Which, on motion of Mr. Hendrick, was taken up, twice read, and concurred in.

By unanimous consent, the rules were suspended, and the Senate took up for consideration a bill, which originated in the House of Representatives, entitled:

An act to incorporate the Simpson County Bank, Franklin.

The question being on ordering said bill to a third reading.

Mr. Terry proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled:

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 8, of article 5, of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17th, 1886, be and the same is hereby, amended, by adding to said section the following: "Any person who shall stand a stud-horse, jack or bull, without having obtained a license therefor, shall, on conviction,

pay a fine of not less than ten nor more than twenty-five dollars."

§ 2. This act to take effect from its passage.

Mr. Hendrick moved to amend said bill as follows, viz :

Amend by striking out the words "twenty-five," wherever they occur, and insert in lieu thereof the words "one hundred."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Terry moved to reconsider the vote by which the Senate passed said bill,

Which motion was simply entered.

Mr. Anderson, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishment therefor,

Reported the same without amendment.

On motion of Mr. McCain,

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, January 22d, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up, for consideration, a bill, which originated in the Senate, entitled

An act to prohibit the selling, loaning, giving or furnishing spirituous, vinous or malt liquors, or any other intoxicating drink, on election days in this Commonwealth.

On motion of Mr. Stewart—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, February 7th, at 11 o'clock A. M., and from day to day until disposed of.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz :

Resolution directing the Librarian to sell members of the General Assembly stationery.

An act to incorporate the Walton Deposit Bank.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary :

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, Jan. 17, 1890. }

Gentlemen of the Senate and House of Representatives :

I herewith transmit for your information the reports of the commissioners appointed under authority of "An act for the benefit of the Lunatic Asylums of the Commonwealth," approved May 18, 1886, and charged with the duty of constructing the addition therein authorized to the Central Asylum. Having completed the building, they ask to be discharged, after proper investigation by your committees.

The reports are transmitted to the Senate.

Respectfully,

S. B. BUCKNER.

REPORT OF SPECIAL COMMISSIONERS FOR CENTRAL LUNATIC ASYLUM, APPOINTED UNDER CHAPTER 1273, ACTS 1886.

JANUARY 17, 1890.

To His Excellency, Gov. SIMON B. BUCKNER :

Your commissioners beg leave to report that we have completed the new building for the colored insane at the Central Asylum, and on October 15th turned over the same to the Superintendent, Dr. W. J. Byrne, for occupancy, at a total cost of about \$30,000, as will be seen from accompanying statement, marked schedule A. The house is well built, and admirably adapted to the purpose designed, but, in our judgment, not as

sightly or as well located as it should have been. As referred to in our last report, your commissioners were enjoined by president of the asylum board, through the chancery court, from erecting the building on the site selected by the Superintendent, Dr. Pusey, and ourselves. The court held that the local board had the right to locate the building, and not the Superintendent or your special commissions. As soon as said decision was rendered, your commissioners instructed the architect to go to work and erect the building at the place selected. In the excavation for the foundation, the site being on the side of a hill, and having to go a considerable depth at our end to get a level, we encountered quite a bold stream of water, and soon after a severe rain set in, which, together, caused the lower wall to give way. The fallen wall, considerable more excavation, and sewer-pipes to convey off the spring water, all taken together, forced us to an expenditure of about \$1,500 more than the original contracts called for, and fully \$1,000 more than the same building would have cost on the site first selected. There is still due Dr. Byrne, the Superintendent, about \$740, for balance paid out for heating apparatus, bath-tubs, etc., etc., in having undertaken the steam-heating contract, besides for work done by the asylum employes to the amount of \$800. To offset this the asylum board used, for other purposes, 170,000 brick that cost us \$870.40, besides planks that cost us \$175, all used before the present Superintendent was installed, however. There is a suit now pending against us, brought by Frank Akers, for \$1,076.20, for balance due on contract for burning brick, with whom we contracted to burn and deliver on the ground at the building 1,050,000 brick at \$5.12½ per thousand. We paid him \$4,523 on his account, reserving twenty per cent., as the law required, to insure the fulfillment of contract and delivery of the brick, but just as he was ready to deliver the brick we were stopped by the court from building at that place. As soon as we were again ready to build, we notified him to deliver the brick, which he refused to do, having already filed suit against us. It cost us \$652.40 to deliver the brick. We think we owe but very little, if any, but the lower court held that his failure to deliver was no fault of his, and hence he should receive full pay. We think in any case the amount it cost us to deliver the

brick, at least what it should have cost him, should be deducted from the account. Should this suit go in favor of Akers, the Legislature should direct its payment by the Auditor, we would suggest.

We attach hereto the bill of the architects, Messrs. Curtin & Campbell, showing a balance due them of \$510, which, we think, should be allowed by the Legislature, as there is not sufficient funds left in our hands to pay it. They have done faithful and efficient work. The law under which we were appointed required us, in our section, to employ an architect, but did not provide specifically for his pay, and in another section appropriated \$42,000 for the two buildings at the Central Asylum, to be paid out by us.

Your commissioners have expended, of \$42,000 appropriated, \$41,614.04, leaving a balance unexpended of \$386.96 still to our credit with the Auditor. The vouchers, receipts and contracts have all been placed in his hands, with whose books our accounts all agree.

Your commissioners would most respectfully beg to be discharged of further service, as the buildings are all completed, and that the Auditor be instructed to pay architects, Curtin & Campbell, balance of \$510, and that he attend to the suit of Akers now pending, and pay off the judgment, if any, when rendered, thereby relieving the State of further expense to the commissioners.

Respectfully,

S. C. LONG,

J. L. SHALLCROSS,

Special Commissioners.

Expense account of special commissioners since last report, for years 1888 and 1889 :

To traveling, express, hotel bills, etc.	\$ 187 40
Paid Helm & Bruce, attorneys' fee	50 00
Costs in court	60 00
Total.	<u>\$ 297 40</u>

Commonwealth of Kentucky, in account with Central Lunatic Asylum Building Commissioners :

Appropriation to the Central Lunatic Asylum	\$42,000 00
Amount expended on new building for whites, per report of December 2, 1887	\$11,584 09
Amount paid F. Akers for burning brick, per same report . . .	4,523 00
Amount expended on asylum for colored insane—	
Lanins & Muster, carpenter's work	7,402 40
J. Moertz, bricklaying	6,390 60
Wm. O Connell, excavating and hauling	865 27
Wm. O'Connell, hauling brick	652 40
B. J. Campbell, plastering	2,065 00
Haupt & Becker, tin-work	1,306 65
J. F. McKelvey, painting	1 233 80
J. B. Speed & Co., cement	1,001 09
M. A. Sweeney & Bro., iron-work	1,056 75
Dr. Byrne, for account of heating, etc	1,000 00
Blatz & Krebs, cut-stone-work	546 00
Snead & Bibbs, register frames	432 00
Dow's Wire Works, wire works	395 52
N. U. Walker Clay Co., drain-pipes	236 14
W. W. Hite & Co., building paper	216 65
J. F. Schneider, iron rails	61 15
Advertising accounts	53 20
Casabella & Hollogher, blasting	41 85
H. P. Speckman, air-grates	24 88
N. J. O'Bannon, hauling cement	20 00
Dumesnil Bros. Co., brick	10 60
Curtin & Campbell, professional services	500 00
	<hr/> 41,614 04
Balance left in hands of Auditor and Treasurer to credit this appropriation	<hr/> \$386 96

DEBTS.

Amount due architect, as per account attached	\$510 00
Amount due Dr. J. W. Byrne, the asylum superintendent, on contract . .	1,200 00
Subject to credit for 170,000 brick, at 5.12½	870 40

Also plank, for which we paid \$175, used by former Superintendent and local board for other purposes.

C. S. LONG,
J. L. SHALLCROSS,
Commissioners.

LOUISVILLE, KY., Jan. 1, 1890.

Commonwealth of Kentucky, to Curtin & Campbell, architects:

DEBIT.

For professional services rendered in building asylum for colored insane at Lakeland, Kentucky, as agreed upon between commissioners and C. A. Curtin, estimated cost \$28,500, at 4 per cent	\$1,140 00
For making new plans as agreed	150 00
	<hr/>
	\$1,290 00

1888.

CREDITS.

By cash	\$280 00	
Aug. 17	500 00	
	<hr/>	780 00
Balance due		<hr/> <hr/> \$510 00

Ordered, That said communication and accompanying document be referred to the Committee on Charitable Institutions.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to prevent the giving or selling cigarettes to any child under eighteen years of age,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

By unanimous consent, the rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Peoples' Savings Bank and Trust Company, of Louisville, Kentucky.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

On motion of Mr. Kemp, leave of absence, indefinitely, was granted Messrs. Pieratt and Roberts.

Mr. Anderson moved that when the Senate adjourns, that it adjourn to meet Tuesday next, the 22d inst., at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and English, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson.	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	John R. Kemp,	Chas. Patteson,
R. J. Breckinridge,	James H. Mulligan,	J. J. Paul,
Sam E. English.	John McCann,	A. L. Peterman—13
T. L. Glenn,		

Those who voted in the negative, were—

W. F. Berry,	J. H. Shearer,	G. Terry,
R. G. Hays,	D. H. Smith,	J. S. Wortham,
J. W. Martin,	A. H. Stewart,	D. W. Wright—10.
B. F. Reynolds,		

Leave was granted to bring in the following bills :

On motion of Mr. McCann—

1. A bill to incorporate the Louisville Southeastern Railroad Company.

On motion of Mr. Anderson—

2. Leave to bring in a bill, entitled “An act to amend an act, to amend an act, entitled ‘An act to provide for the assessment and collection of taxes upon distilled spirits,’ ” approved April 11, 1882, said amendatory act approved May 12, 1884.

On motion of Mr. Patteson—

3. A bill to incorporate the Taylor Bank, of Campbellsville.

On motion of Mr. Mulligan—

4. A bill to authorize the city of Lexington to make a donation in land and money, or its equivalent, in order to secure the location, at or near said city, of the machine shops of the Elizabethtown, Lexington & Big Sandy Railroad Company, and to ratify and legalize an ordinance of said city, and the election held thereunder in reference to said donation.

Ordered, That the Committee on Railroads prepare and bring in the 1st ; the Committee on Codes of Practice the 2d ; the Committee on Banks and Insurance the 3d, and the Committee on the Judiciary the 4th.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Paducah Safe Deposit and Trust Company ;

An act to amend an act, entitled "An act to incorporate the Peoples' Bank of Yellow creek ;

An act concerning the Health Department of the city of Louisville ;

An act to amend an act, entitled "An act to incorporate the Bank of Pikeville, Pike county," approved ——, 1888 ;

An act for the benefit of John W. Ridgeway, sheriff of Henry county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886 ;

An act to incorporate the Kentucky Safety Vault and Trust Company, of Paducah ;

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Pearce, Fant & Co., at Flemingsburg," approved April 30, 1888 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

And then the Senate adjourned.

TUESDAY, JANUARY 21, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Hart County Deposit Bank and Trust Company.

An act to amend an act, entitled "An act to incorporate the Louisville Safety Vault and Trust Company."

An act to authorize the citizens or other persons owning and producing timber on the waters of Big creek of Clay and Leslie counties to boom Big creek.

An act making it a misdemeanor to injure or damage in any way telephone lines in this Commonwealth, and to fix the penalty therefor.

An act to change the time of holding the Christian quarterly court.

An act to incorporate the Louisville Steam Moter Power Company.

Resolution of respect to the life and memory of the Hon. Abner McClanahan, deceased, ex-Representative from Bracken county.

Resolution fixing the pay of the Janitors and Assistant Janitors of the Senate and House of Representatives.

That they had concurred in the adoption of an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Simpson County Bank, Franklin.

That they had concurred in the adoption of joint resolutions, which originated in the Senate, of the following titles, viz :

Resolution providing for a joint session of the General Assembly for the election of a Librarian.

Resolution providing for the appointment of a joint committee to investigate lawlessness in Harlan and Perry counties, and report thereon.

An act to amend the charter of the Westview Building Company.

That they had adopted a joint resolution and passed a bill of the following titles, viz :

1. Resolution requiring the Secretary of State and Public Printer to furnish certain information.

2. An act for the benefit of P. H. Haley, a justice of the peace of Daviess county.

Which bill and resolution were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill, and resolution being dispensed with,

The resolution was referred to the Committee on the Judiciary, and said bill was referred to the Committee on Courts of Justice.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to establish a State Bureau of Information and Immigration

On motion of Mr. English—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Terry, leave of absence, indefinitely, was granted Mr. Shearer.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to repeal section 9, of an act approved March 20th, 1876, entitled "An act to regulate the civil jurisdiction of justices of the peace, police judges and quarterly courts and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks.

Reported the same without amendment.

Mr. Wright moved to lay the bill on the table,

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend section 7 of the town charter of the town of Falmouth.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering said bill to a third reading, was then reconsidered.

On motion of Mr. Dickerson—

Ordered, That said bill be recommitted to the Committee on Privileges and Elections.

A message, in writing, was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz :

An act to repeal section 11 of an act, entitled "An act to establish the county of Carlisle," approved April 3, 1886.

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Pearce, Fant & Co., at Flemingsburg," approved April 13, 1888.

Resolution providing for a joint session of the General Assembly for the election of a Librarian.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 21, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

T. G. Austin, Lawrence county.

J. Boone, Powell county.

F. Bullock, Fayette county.

W. H. Cornett, Perry county.

James P. Gregory, Jefferson county.
 S. P. Hathaway, Jefferson county.
 D. H. Hughes, Union county.
 H. S. Irwin, Jefferson county.
 W. S. Johnson, Henderson county.
 Chas. P. Johnson, Allen county.
 T. Nelson, Monroe county.
 J. T. Patterson, Monroe county.
 Park Phipps, Powell county.
 J. Morgan Richardson, Meade county.
 Thos. B. Satterwhite, Jr., Jefferson county.
 J. A. Scott, Monroe county.
 Chas. G. Schultze, Jefferson county.
 R. T. Smith, Monroe county.
 John N. Smith, Lee county.
 Robt. D. Vance, Henderson county.
 J. Peter Weckman, Campbell county.
 Ed Singer, Shelby county.
 J. L. White, Montgomery county.
 Chapman C. Joyes, Jefferson county.
 J. A. Boulware, Washington county.
 W. A. Sears, Jessamine county.
 John Golden, Pulaski county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message, in writing, was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT, }
 FRANKFORT, January 20, 1890. }

Gentlemen of the Senate :

I hereby nominate, and, by and with the advice and consent of the Senate, will appoint John T. Shelby, W. W. Estill and Thomas Mitchell, Commissioners of the Eastern Kentucky Asylum, to fill existing vacancies.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

By unanimous consent, Mr. McCain, reported a bill, entitled
An act to amend an act, entitled "An act for the benefit of
John W. Ridgeway, sheriff of Henry county."

Reported the same with the expression of opinion that said
bill ought to pass.

Which bill was read the first time, and ordered to be read a
second time.

The constitutional provision as to the second reading of said
bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said
bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be
as aforesaid.

The Speaker announced the appointment of Messrs. Worth-
am, Stewart, Breckinridge, Cockrell, Smith, Dickerson and
Hendrick, a special committee on Geological Survey.

Bills of the following titles were reported from the several
committees directed to prepare and bring in the same, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act to prevent trespassing on real estate in the county of
Fayette.

By Mr. Kemp, from the Committee on Railroads—

An act to incorporate the Burkesville and Northwestern
Railroad Company.

Which bills were severally read the first time and ordered to
be read a second time.

The constitutional provision as to the second reading of said
bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said
bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof
be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Stewart—

1. A bill to amend an act relating to the incorporation of the
town of Prestonsburg, in Floyd county, approved March 18,
1878.

On motion of Mr. Poyntz—

2. A bill, entitled "An act to exempt Riverside Seminary, at Vanceburg, Lewis county, from all county, city and local taxes."

On motion of Mr. Lindsay—

3. A bill prescribing the duties of fiduciaries in the investment and management of trust funds in their hands.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Education the 2d, and the Committee on the Judiciary the 3d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Kemp, from the Committee on Railroads—

An act to amend an act, entitled "An act to amend the charter of the Cairo and Tennessee River Railroad Company," approved February 25, 1888.

By same—

An act to amend the charter of the Cairo and Tennessee River Railroad.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act for the benefit of John W. Ridgeway, Sheriff of Henry county."

At 11 o'clock A. M. Mr. Anderson moved that the Senate take a recess until 11:55 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
G. W. Gates,	J. W. McCain,	C. B. Poyntz,
T. L. Glenn,	John P. Newman,	B. F. Reynolds,
R. G. Hays,	J. J. Paul,	D. H. Smith—12.

Those who voted in the negative, were—

W. F. Berry,	W. W. Dickerson,	Chas. Patteson,
R. J. Breckinridge,	Sam E. English,	G. Terry,
B. F. Cockrell,	John R. Kemp,	J. S. Wortham
Reuben Conner,	William Lindsay,	D. W. Wright—12.

The Senate then took a recess.

At 11:55 o'clock A. M. the Speaker resumed the chair and called the Senate to order.

At the hour of 12 o'clock M., the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a State Librarian.

A message was received from the House of Representatives, by Messrs. Triplett and Cox, announcing that they were now ready to proceed to the execution of the joint order of the day.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, for the purpose of electing a State Librarian to succeed the Hon. Ed Porter Thompson, whose term of office expires on the first Monday in June, 1890.

The Speaker of the Senate, at the time designated, took the chair and called the joint assembly to order.

The roll of the two houses was then called, and the following Senators and Representatives responded to the call, viz :

W. H. Anderson,	R. N. Beauchamp,	Henry Mason,
W. F. Berry.	E. D. Briscoe,	Isaac Middleton,
R. J. Breckinridge,	Scott Brown,	Wm. M. Moore,
B. F. Cockrell,	F. B. Brown,	W. S. McClanahan,
Reuben Conner,	W. O. Blackerby,	W. C. McChord,
W. W. Dickerson,	I. S. Bow,	John T. McClure,
Sam E. English,	J. L. Bruce,	J. H. McDanell,
G. W. Gates,	E. R. Burns,	G. W. Norman,
R. G. Hays,	Tibbis Carpenter,	W. R. Palin,
John K. Hendrick,	J. H. Coffey,	O. T. Petty,
John R. Kemp,	W. H. Counts,	D. B. Redwine,
William Lindsay,	Wm. T. Cox,	Gus. W. Richardson,
J. W. Martin,	R. H. Crossfield,	R. E. Roberts,
James H. Mulligan,	P. B. Davis,	John W. Rowlett,
J. W. McCain,	John C. Draddy,	Jas. H. Rudy,
John P. Newman,	E. C. Flanary,	E. E. Settle,
Chas. Patteson,	John M. Frazee,	Waller Sharp,

J. J. Paul,	Wm. Garrison,	S. H. Shouse,
Chas. B. Poyntz,	E. J. Green,	W. B. Smith,
B. F. Reynolds,	Ed E. Hardin,	W. W. Stephenson,
D. H. Smith,	R. C. Hill,	Claude M. Thomas,
A. H. Stewart,	W. H. Hays,	R. S. Triplett,
G. Terry,	Jacob Hoertz,	M. D. Vanhoose,
J. S. Wortham,	B. B. Hensley,	Arthur Wallace,
D. W. Wright,	Daniel James,	B. R. Walker,
Mr. Speaker (Myers),	Tice Jolly,	R. C. Warren,
Wm. H. Able,	Geo. B. Kinkead,	J. H. Welch,
Silas Adams,	Henry Kremer,	Chas. B. Wickliffe,
John Bartman,	John W. Langley,	John W. Williams,
W. S. Bailey,	John M. Letterle,	Theo. C. Wolking,
W. J. Bale,	J. J. Long,	Wm. Wharton—93.

Whereupon, Mr. Settle nominated Mrs. Mary B. R. Day, of Franklin county, as a suitable person to fill the office of State Librarian.

There being no other nomination, the Speaker announced that the Clerks would now proceed to take the joint vote of the two Houses upon the nomination before mentioned, for the office of State Librarian, and the vote being taken, stood thus :

For the Senate—

Those who voted for Mrs. Mary B. R. Day, were—

W. H. Anderson,	R. G. Hays,	A. L. Peterman,
W. F. Berry,	John K. Hendrick,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	D. H. Smith,
Reuben Conner,	James H. Mulligan,	A. H. Stewart,
W. W. Dickerson,	J. W. McCain,	G. Terry,
Sam E. English,	John P. Newman,	J. S. Wortham,
G. W. Gates,	Chas. Patteson,	D. W. Wright—24.

In the House of Representatives :

Those who voted for Mrs. Mary B. R. Day, were—

Mr. Speaker (Myers),	Wm. Garrison,	O. T. Petty,
Wm. H. Able,	E. J. Green,	D. B. Redwine,
Silas Adams,	Ed E. Hardin,	Gus. W. Ricardson,
John Bartman,	R. C. Hill,	R. E. Roberts,
W. S. Bailey,	W. H. Hays,	John W. Rowlett,
W. J. Bale,	Jacob Hoertz,	Jas. H. Rudy,
R. N. Beauchamp,	B. B. Hensley,	John Ryan,
E. D. Briscoe,	Daniel James,	E. E. Settle,
Scott Brown,	Tice Jolly,	Waller Sharp,

F. B. Brown,	Geo. B. Kinkead,	S. H. Shouse,
W. O. Blackerby,	Henry Kremer,	W. B. Smith,
I. S. Bow,	John W. Langley,	W. W. Stephenson,
J. L. Bruce,	John M. Letterle,	Claude M. Thomas,
E. R. Burns,	J. J. Long,	R. S. Triplett,
Tibbis Carpenter,	Henry Mason,	M. D. Vanhooose,
J. H. Coffee,	Isaac Middleton,	Arthur Wallace,
W. H. Counts,	Wm. M. Moore,	B. R. Walker,
Wm. T. Cox,	W. S. McClanahan,	R. C. Warren,
R. H. Crossfield,	W. C. McChord,	J. H. Welch,
P. B. Davis,	John T. McClure,	Chas. B. Wickliffe,
John C. Draddy,	J. H. McDanell,	John W. Williams,
E. C. Flanary,	G. W. Norman,	Theo. C. Wolking,
John M. Frazee,	W. R. Palin,	Wm. Wharton—69.

Whereupon the Speaker announced that Mrs. Mary B. R. Day having received a majority of all the votes cast, and of all the members elected to each House, was duly elected State Librarian for the term of two years, commencing on the first Monday in June, 1890.

Mr. Lindsay moved that the Joint Assembly do now proceed to the election of a State Librarian to fill the vacancy now existing in said office, and ending on the first Monday in June, 1890.

Mr. Peterman moved that when the Joint Assembly adjourns, it adjourn to meet at 12 o'clock M. to-morrow.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Wallace and Dickerson, resulted as follows, viz :

In the Senate :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry,
G. W. Gates,	John P. Newman,	J. S. Wortham,
R. G. Hays,	J. J. Paul,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	W. W. Dickerson,	Chas. B. Poyntz—5.
B. F. Cockrell,	Chas. Patteson,	

In the House of Representatives :

Those who voted in the affirmative, were—

Silas Adams,	R. C. Hill,	R. E. Roberts,
John Bartman,	W. H. Hays,	John W. Rowlett,
Scott Brown,	Jacob Hoertz,	Jas. H. Rudy,
F. B. Brown,	Tice Jolly,	John Ryan,
J. L. Bruce,	Geo. B. Kinkead,	E. E. Settle,
Tibbis Carpenter,	Henry Kremer,	W. B. Smith,
Wm. T. Cox,	J. J. Long,	W. W. Stephenson,
R. H. Crossfield,	Henry Mason,	B. R. Walker,
P. B. Davis,	W. C. McChord,	R. C. Warren,
Ed C. Flanary,	G. W. Norman,	John W. Williams,
John M. Frazee,	D. B. Redwine,	Wm. Wharton—35.
E. J. Green,	Gus. W. Richardson,	

Those who voted in the negative, were—

Wm. H. Able,	Wm. Garrison,	W. R. Palin,
W. S. Bailey,	Ed E. Hardin,	O. T. Petty,
W. J. Bale,	B. B. Hensley,	Waller Sharp,
R. N. Beauchamp,	Daniel James,	S. H. Shouse,
E. D. Briscoe,	John M. Letterle,	R. S. Triplett,
W. O. Blackerby,	Isaac Middleton,	M. D. Vanhooose,
I. S. Bow,	Wm. M. Moore,	Arthur Wallace,
E. R. Burns,	W. S. McClanahan,	Chas. B. Wickliffe,
J. H. Coffey,	John T. McClure,	Theo. C. Wolking,
W. H. Counts,	J. H. McDanell,	J. H. Welch—31.
John C. Draddy,		

Mr. Lindsay withdrew the motion made by him that the joint assembly proceed to the election of a State Librarian, to fill the vacancy ending the first Monday in June, 1890.

Mr. McChord moved that a committee of five be appointed—two on the part of the Senate, and three on the part of the Representatives—to confer with His Excellency, the Governor; as to the question of electing the State Librarian, to fill the vacancy ending on the first Monday in June, 1890 (if existing) and report the result of their conference to the joint assembly.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

Whereupon the Speaker of the Senate appointed Messrs. Lindsay, Breckinridge, Wallace, McChord and Langley such committee.

On motion of Mr. Frazee, the Joint Assembly then adjourned.

The Senators then repaired to the Senate Chamber, the Speaker resumed the Chair, and called the Senate to order.

Mr. Peterman, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of J. L. James ;

An act to legalize and declare valid an order of the Bullitt County Court of Claims made on the 21st day of January, 1889, levying an ad valorem tax of fifteen cents on each one hundred dollars' worth of property in Bullitt county for county purposes ;

An act authorizing the county court of claims of the county of Bullitt to levy an annual tax of twenty cents on each one hundred dollars of value of real and personal property in the county for county purposes ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Trigg County Farmers' Bank ;

An act to establish the Pembroke Deposit Bank, in Christian county ;

An act to amend an act, entitled "An act for the benefit of John W. Ridgeway, Sheriff of Henry county ;

Resolution providing for a joint session of the General Assembly for the election of a Librarian ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Peterman reported that the Committee had performed that duty.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, -jacks and bulls of this Commonwealth," approved February 11th, 1876,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Berry moved that said bill be recommitted to the Committee on General Statutes.

Pending the consideration of said motion, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

WEDNESDAY, JANUARY 22, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Miss Lula Simpkins.

An act for the benefit of George W. Ratcliff, late sheriff of McCracken county.

An act for the benefit of John W. Ridgeway, sheriff of Henry county.

An act to amend an act, entitled "An act to incorporate the People's Bank of Yellow creek."

An act to amend an act, entitled "An act to incorporate the Bank of Pikeville, Pike county," approved 1888.

An act to incorporate the Paducah Safe Deposit and Trust Company.

That they had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the Green River Coal and Mining Company.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth."

2. An act for the benefit of Colored Common School District No. 2, Bourbon county.

3. An act to extend the time of the sitting of the county board of tax supervisors, in Harrison county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the first to the Committee on Education ; the 2d to the Committee on General Statutes,

And the third-named-bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate Simpson County Bank, Franklin ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved April 5, 1870, and to divide the city of Hopkinsville into wards, and to provide for councilmen ;

An act to amend an act, entitled "An act relating to the working of public roads in Washington county ;"

An act for the building and maintaining of bridges on county roads in the county of Campbell ;

An act to fix the time of holding the quarterly courts in Whitley county ;

And an enrolled resolution, which originated in the Senate, of the following title, viz :

Resolution providing for the appointment of a joint commit-

tee to investigate lawlessness in Harlan and Perry counties, and report thereon ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Smith, from the Committee on Executive Affairs—

An act for the benefit of F. B. Henry, sheriff of Nicholas county.

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to incorporate the Princeton Collegiate Institute, in the town of Princeton, Caldwell county and other purposes,” approved March 21st, 1882.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to authorize the city of Lexington to make a donation in land and money, or its equivalent, in order to secure the location, at or near said city, of the machine shops of the Elizabethtown, Lexington and Big Sandy Railroad Company, and to ratify and legalize an ordinance of said city, and the election held thereunder in reference to said donation.

By Mr. Newman, from the Committee on Propositions and Grievances—

An act to amend the charter of the Newport Light Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following

titles, were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to incorporate Hickman College,’ ” approved April 20, 1888.

By same—

An act to amend an act, entitled “An act to establish a system of public graded schools in District No. 47, East Point.”

By same—

An act to give Knott county her share in the surplus school bonds of Floyd, Breathitt, Perry and Letcher counties.

By same—

An act for the benefit of Mrs. Daisey E. Harvey, common school teacher in Colored School District No. 6, Fulton county.

By Mr. Wright, from the Committee on the Judiciary.—

An act to incorporate the town of New Concord, in Calloway county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to establish a State Bureau of Information and Immigration.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a State Bureau of Information and Immigration be, and the same is hereby, established, the duties of which shall be to cause to be collected, printed by the Public Printer, and disseminated, such information as they may deem proper, concerning the natural and other resources and the advantages of this State, and use such other means as they may deem proper in order to bring into it desirable persons, from other States and Territories of the United States and Canada, for settlement and capital for investment. Said Board shall also list mineral, timber, agricultural, and grazing lands, lying in the various counties of the State, that are for rent or

sale, and prices of same, and the names of persons desiring to secure the services of immigrants, and the class of service required.

§ 2. Such Bureau shall consist of five persons, to be known as the Commissioners of Information and Immigration; namely, the Commissioner of Agriculture, the State Geologist, and three other persons, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and serve during said Governor's term of office, and until their successors are appointed by said Governor's successor in office and qualified, and such persons shall perform the duties herein prescribed without compensation. The Governor shall fill vacancies in said Board caused by death, resignation, or failure to qualify or act.

§ 3. A majority of said Commissioners shall constitute a quorum of said Board, which shall choose a Superintendent and such other officers, agents, and servants, as they may deem proper, none of whom shall be a member of said Board, to execute the duties aforesaid, and to prescribe their powers, compensation and duties.

§ 4. To meet the expenses to be incurred by said Board, or under its authority, in the performance of the duties herein prescribed, and to the extent of the appropriation herein unexpended, and any other that may hereafter be made, for the purpose, and upon the request of said Board, or its Chairman (he being authorized by the Board), the Auditor shall draw his warrant on the Treasurer, and the latter shall pay such sum or sums as said Board may require to its Superintendent, who shall first give bond, with good security, for the faithful performance of his duties.

§ 5. Said Board shall cause full and correct records to be kept of its transactions, and yearly make, publish and transmit to the Governor, a report showing the progress of its work, and its receipts and disbursements.

§ 6. Said Commissioners appointed by the Governor, shall, before they enter upon the discharge of their duties, be sworn to perform them to the best of their abilities.

§ 7. Said Board shall use all proper means to secure the enforcement of the laws of this State, intended to prevent the immigration into this State, of paupers, criminals, and persons, who, by reason of disease, lawless sentiments, or otherwise, may be dangerous to the peace, health or well-being of the citizens of this Commonwealth.

§ 8. To carry out the purposes of this act, the sum of twenty thousand dollars (\$20,000) per year, for two years, is hereby appropriated out of the general revenues of the State.

§ 9. All laws and parts of laws in conflict with this act are hereby repealed.

§ 10. This act shall take effect from its passage.

Mr. Stewart proposed to amend said bill as follows, viz :

Amend by striking out of the first line of the second section the word "five," and by inserting lieu thereof the word "three;" and by striking out the word "three," in the third line of said section, and inserting thereof the word "five." Amend by striking out the figures "\$20,000" in the eighth section, and inserting in lieu thereof the figures "\$5,000."

Mr. Dickerson moved a division of the question on said amendment.

The question was then taken on the adoption of the first portion of said amendment, viz :

By striking out of the first line of the second section the word "five," and by inserting in lieu thereof the word "three."

And it was decided in the negative.

The question was then taken on the adoption of the second portion of said amendment, viz :

By striking out the word "three," in the third line of section two and insert in lieu thereof the word "one."

And it was decided in the negative.

The question was then taken on the adoption of the third portion of said amendment, viz :

By striking out the figures "\$20,000," in the eighth section, and inserting in lieu thereof the figures "\$5,000."

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. W. Martin,	A. H. Stewart,
Reuben Conner,	Chas. Patteson,	D. W. Wright—8.
J. H. Lunsford,	A. L. Peterman,	

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
Ben F. Bradley,	William Goebel,	J. J. Paul,
R. J. Breckinridge,	J. B. Hannah,	J. M. Pieratt,
B. F. Cockrell,	John K. Hendrick,	Chas. B. Poyntz,
W. W. Dickerson,	John R. Kemp,	D. H. Smith,
Sam E. English,	William Lindsay,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham—21.

Mr. Poyntz proposed to amend said bill as follows, viz :

Strike out "\$20,000," and in lieu thereof insert "\$10,000."

And the question being taken thereon it was decided in the negative.

Mr. Dickerson proposed to amend said bill as follows, viz :

Amend by inserting after the word "act" in the first line of section 8, the words "not exceeding."

And the question being taken thereon, it was decided in the affirmative.

Mr Peterman proposed an amendment to said bill as follows, viz :

Amend by striking out the words "per year," in line 2, section 8.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	Chas. Patteson,	A. H. Stewart,
Reuben Conner,	A. L. Peterman,	G. Terry,
Jno. H. Lunsford,	C. B. Poyntz,	J. S. Wortham,
J. W. Martin,	B. F. Reynolds,	D. W. Wright—12.

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	William Lindsay,
Ben F. Bradley,	T. L. Glenn,	J. W. McCain,
R. J. Breckinridge,	William Goebel,	John P. Newman,
B. F. Cockrell,	J. B. Hannah,	J. J. Paul,
W. W. Dickerson,	John K. Hendrick,	J. M. Pieratt,
Sam E. English,	John R. Kemp,	D. H. Smith—18.

Mr. Paul proposed to amend said bill by striking out "\$20,000," in line 2 of section 8, and inserting "\$25,000" in lieu thereof.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
Sam E. English,	J. H. Lunsford,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—24.

Those who voted in the negative, were—

W. F. Berry,	J. W. Martin,	A. L. Peterman,
Reuben Conner,	Chas. Patteson,	A. H. Stewart—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Berry, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Third English Evangelical Lutheran Church of Louisville,

Reported the same with an amendment thereto.

Which was adopted.

On motion of Mr. Hendrick—

Ordered, That said bill, as amended, be recommitted to the Committee on Religion and Morals.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of F. B. Henry, sheriff of Nicholas county.

Leave was granted to bring in the following bills :

On motion of Mr. Anderson—

1. A bill making it unlawful for stock to run at large on the Taylorsville and Snider's Turnpike and the Taylorsville and Waterford Turnpike, in Spencer county.

On motion of Mr. Terry—

2. A bill to amend an act, entitled "An act to prohibit the

sale of spirituous, vinous or malt liquors in Logan county," passed March 13, 1886.

On motion of Mr. Cockrell—

3. A bill to prevent the sale of ardent spirits in the vicinity of churches, schools and hospitals in the city of Mt. Sterling.

On motion of Mr. Pieratt—

4. A bill for the benefit of S. S. Dennis, ex-sheriff of Morgan county.

On motion of Mr. Dickerson—

5. A bill for the benefit of Ben. T. Seabreast, of Grant county.

On motion of same—

6. A bill to amend an act, approved May 2, 1888, entitled "An act to amend an act, entitled 'An act to provide for the government, management and discipline of the Kentucky Penitentiary, approved May 3, 1880, and the several amendments thereto.'"

On motion of Mr. Patteson—

7. A bill to amend an act, entitled "An act to incorporate the Bank of Campbellsville, Ky."

On motion of same—

8. A bill to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider, in Spurlington, Ky., or within three miles thereof, in Taylor county."

On motion of Mr. Wortham—

9. A bill, entitled "An act to amend article 8, of chapter 92, of the General Statutes, entitled 'Revenue and Taxation.'"

On motion of Mr. Glenn—

10. A bill to amend the charter of the street railway, of Paducah, Ky.

On motion of same—

11. A bill regulating the appointment of special judges in all cases wherein the regular judge is sworn from the bench.

On motion of Mr. Hendrick—

12. A bill to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth."

On motion of Mr. Newman—

13. A bill to amend the charter of the Newport Light Company.

On motion of Mr. Poyntz—

14. A bill to require the sleeping car companies doing business in this Commonwealth to pay a license therefor.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Religion and Morals the 2d, 3d, 8th and 12th; the Committee on Propositions and Grievances the 4th, 10th and 13th; the Committee on Claims the 5th; the Committee on Penitentiary and House of Reform the 6th; the Committee on Banks and Insurance the 7th; the Committee on General Statutes the 9th; the Committee on the Judiciary the 11th; and the Committee on Finance the 14th.

A message in writing was received from the Governor by Mr. Willis Ringo, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 22, 1890. }

Gentlemen of the Senate :

Under a misapprehension of the meaning of the existing law on the subject, I sent to the Senate the name of Ed Porter Thompson, as Librarian, to fill the unexpired term occasioned by the death of the former incumbent.

I respectfully ask permission to withdraw this nomination from the Senate.

Respectfully,

S. B. BUCKNER.

And the question being taken on granting the permission to withdraw said nomination, it was decided in the affirmative.

A message was received from the Governor by Mr. Willis Ringo, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of John W. Ridgeway, sheriff of Henry county."

An act to incorporate the Trigg County Farmers' Bank.

An act to establish the Pembroke Deposit Bank, in Christian county.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill, from the House of Representatives, entitled

An act to amend section 3, of chapter 97, of the General Statutes,

Reported the same with an amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 3, of chapter 97, of the General Statutes, be amended by adding at the end thereof the words: "But the seal of the Commonwealth may also be used by the Secretary of State to attest any certificate by either himself or the Governor, in cases where it may be shown to him that such attestation by said seal is required to entitle such certificate or any facts or documents thereby certified to be admitted to record, or used as evidence or otherwise in any other State or country."

§ 2. That this act shall take effect and be in force from and after its passage.

The amendment proposed by the committee reads as follows, viz :

Amend section 1, by adding thereto the words: "*Provided*, The use of the seal of the Commonwealth shall not dispense with the necessity for the use of the seal of the Secretary of State or deprive the Assistant Secretary of State of the right to demand and receive the present fee or tax for such use."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any corporation under the laws of Kentucky, or under the laws of any other State or country, for transacting or conducting any kind of business in this State, or any partnership, company, firm or individual, or other association of persons, shall create, establish, organize, or enter into, or become a member of, or a party to, or in any way interested in any pool, trust, combine, agreement, confederation or understanding with any other corporation, partnership, individual or person, or association of persons, for the purpose of regulating, or controlling, or fixing the price of any merchandise, manufactured articles or property of any kind, or shall enter into, become a member of, or party to, or in any way interested in any pool, agreement, contract, understanding, combination or confederation, having for its object the fixing, or in any way limiting the amount or quantity of any article of property, commodity or merchandise, to be produced or manufactured, mined, bought or sold, shall be deemed guilty of the crime of conspiracy, and punished therefor as provided in the subsequent sections of this act.

§ 2. It shall not be lawful for any corporation to issue or to own, have or sell, any trust, certificates or stocks, or for any corporation's agent, officer or employe, agent or director, or any corporation to enter into, either verbally or in writing, any combination, contract, agreement or understanding with any person or persons, corporation or corporations, or with any director, agent or officer thereof, the purpose or effect of which combination, contract, agreement or understanding would be to place the management, control or any part of the business of such combination or association, or the manufactured product thereof, in the hands, or under the control, in whole or in part, of any trustee or trustees, or agents, or any person whatever, with the intent, or to have the effect to limit, fix, establish or change the price of the production or sale of any article of property or of commerce, or to prevent, restrict, or in any way diminish the manufacture or output of any such article or property.

§ 3. If any corporation, company, firm, partnership or person, or association of persons, shall, by court of competent jurisdiction, be found guilty of any violation of any of the provisions of this act, such guilty party shall be punished by a fine of not less than five hundred dollars and not more than five thousand dollars. Any president, manager, director or other officer or agent, or receiver of any corporation, company, firm, partnership, or any corporation, company, firm or association, or member of any corporation, firm or association, or any member of any company, firm or other association, or any individual found, by a court of competent jurisdiction, guilty of any violation of this act in the first section thereof, or any of them, shall be

punished by a fine of not less than five hundred dollars nor more than five thousand dollars, or may be imprisoned in the county jail not less than six months nor more than twelve months, or may be both so fined and imprisoned in the discretion of the court or jury trying the case.

§ 4. Any contract or agreement or understanding in violation of the provisions of the preceding sections of this act shall be null and void ; and any purchasers of property or article, or of any commodity, from any individual, firm, company, or corporation transacting business contrary to the preceding sections of this act, shall not be liable for the price or payment of such article or commodity or property, and may plead and rely on this act as a complete defense to any suit for such price or payment.

§ 5. If any corporation created or organized by or under the laws of this State shall be indicted and convicted for any violation of any of the provisions of this act, such indictment, trial and conviction, in any court of competent jurisdiction, shall have the effect to forfeit the charter of such corporation, without any further proceedings on the subject of the forfeiture of its charter ; and such judgment of conviction shall forfeit all the franchises of such corporation from and after the rendition of such judgment of conviction ; and it shall be the duty of the clerk of the court in which such conviction is had to certify, over his official seal, to the Secretary of State the fact of such conviction and forfeiture within ten days after the rendition of such judgment, and upon the receipt of the copy of such judgment of conviction, the Secretary of State shall enter up his official books said judgment, with a recital that the charter and all corporate franchises of such corporation have been forfeited by the rendition of such judgment of conviction ; and from the time of the rendition of such judgment of conviction, it shall be unlawful for such convicted corporation to transact any business under the charter until the court in which the judgment was rendered shall set aside the judgment of conviction, or the Appellate Court shall vacate or reverse and set aside said judgment.

§ 6. It shall be the duty of the circuit judges, and other judges of similar jurisdiction in this State, to give the provisions of this act in charge to the grand juries at each term of their courts.

§ 7. The provisions of the Code of Practice regulating appeals in other cases shall apply to appeals under this act, and this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Kemp moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

At 12 m. the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a State Librarian, to fill the vacancy in said office ending on the first Monday in June, 1890.

A message was received from the House of Representatives by Messrs. Cox and Langley, announcing that they were now ready to proceed to the execution of the joint order of the day.

The hour of 12 o'clock m. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives for the purpose of electing a State Librarian, to fill the existing vacancy in said office ending the first Monday in June, 1890.

The Speaker of the Senate at the time designated took the Chair, and called the Joint Assembly to order.

The roll of the two Houses was then called, and the following Senators and Representatives responded to the call, viz :

W. H. Anderson,	I. S. Bow,	Wm. M. Moore,
W. F. Berry,	J. L. Bruce,	W. S. McClanahan,
Ben F. Bradley,	E. R. Burns,	W. C. McChord,
R. J. Breckinridge,	Tibbis Carpenter,	John T. McClure,
B. F. Cockrell,	J. H. Coffey,	J. H. McDanell,
Reuben Conner,	Hugh P. Cooper,	J. J. Nall,
W. W. Dickerson,	W. H. Counts,	G. W. Norman,
Sam E. English,	J. W. Croan,	W. R. Palin,
T. L. Glenn,	R. H. Crossfield,	O. T. Petty,
William Goebel,	P. B. Davis,	Matthew Rebholz,
J. B. Hannah,	John C. Draddy,	D. B. Redwine,
John K. Hendrick,	G. W. Duvall,	Gus. W. Richardson,
John R. Kemp,	E. C. Flanary,	N. B. Riley,
J. H. Lunsford,	John M. Frazee,	R. E. Roberts,
J. W. Martin,	J. T. Freeman,	John W. Rowlett,
J. W. McCain,	T. T. Gardner,	Jas. H. Rudy,
Jno. P. Newman,	Wm. Garrison,	John Ryan,
J. J. Paul,	James P. Gay,	Waller Sharp,
A. L. Peterman,	E. J. Green,	S. H. Shouse,
J. M. Pieratt,	Ed E. Hardin,	W. B. Smith,
Chas. B. Poyntz,	R. C. Hill,	W. M. Smith,
B. F. Reynolds,	W. H. Hays,	W. W. Stephenson,
A. H. Stewart,	Jacob Hoertz,	Alvis B. Tichenor,
J. S. Wortham,	B. B. Hensley,	Claude M. Thomas,

D. W. Wright,	S. L. Holland,	R. H. Tomlinson,
Mr. Speaker (Myers),	Daniel James,	R. S. Triplett,
Wm. H. Able,	Joseph Jenkins,	M. D. Vanhooose,
Silas Adams,	Tice Jolly,	B. R. Walker,
John Bartman,	Geo. B. Kinkead,	R. C. Warren,
W. S. Bailey,	Henry Kremer,	J. H. Welch,
W. J. Bale,	John W. Langley,	Myer Weil,
R. N. Beauchamp,	John M. Letterle,	Chas. B. Wickliffe,
E. D. Briscoe,	J. J. Long,	John W. Williams,
Scott Brown,	Henry Mason,	Theo. C. Wolking,
F. B. Brown,	Isaac Middleton,	Wm. Wharton—106.
W. O. Blackerby,		

Mr. Breckinridge, from and on behalf of the committee appointed on yesterday to confer with His Excellency, the Governor, regarding the vacancy existing in the office of State Librarian, and which ends the first Monday in June, 1890, reported verbally that the committee had performed that duty, and that the Governor had expressed his acquiescence in the proposed action of this Joint Assembly to make a nomination to fill said vacancy, and indicated his intention to withdraw the nomination sent in by him to the Senate, so that the Joint Assembly might be free to make a nomination to fill said vacancy.

Which report was received and the committee discharged.

The Speaker then announced that nominations for said office were in order.

Whereupon Mr. Newman nominated Hon. Ed Porter Thompson, of Owen county, as a suitable person to fill said office.

There being no other nomination, the Speaker announced that the Clerks would proceed to take the joint vote of the two Houses upon the nomination before mentioned for the office of State Librarian, to fill the vacancy aforesaid, and the vote being taken stood thus:

Those who voted for Mr. Thompson, were—

In the Senate:

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	Ben F. Reynolds,
Reuben Conner,	J. W. Martin,	A. H. Stewart,

W. W. Dickerson,	John McCann,	J. S. Wortham,
Sam E. English,	John P. Newman,	D. W. Wright—25.
T. L. Glenn,		

In the House of Representatives :

Those who voted for Mr. Thompson, were—

Wm. H. Able,	James P. Gay,	Matthew Rebholz,
Silas Adams,	E. J. Green,	D. B. Redwine,
John Bartman,	Ed E. Hardin,	Gus. W. Richardson,
W. S. Bailey,	R. C. Hill,	N. B. Riley,
W. J. Bale,	W. H. Hays,	R. E. Roberts,
R. N. Beauchamp,	Jacob Hoertz,	John W. Rowlett,
E. D. Briscoe,	B. B. Hensley,	Jas. H. Rudy,
Scott Brown,	S. L. Holland,	John Ryan,
F. B. Brown,	Daniel James,	Waller Sharp,
W. O. Blackerby,	Joseph Jenkins,	S. H. Shouse,
I. S. Bow,	Tice Jolly,	W. B. Smith,
J. L. Bruce,	Geo. B. Kinkead,	W. M. Smith,
E. R. Burns,	Henry Kremer,	W. W. Stephenson,
Tibbis Carpenter,	John W. Langley,	Alvis B. Tichenor,
J. H. Coffey,	John M. Letterle,	Claude M. Thomas,
Hugh P. Cooper,	J. J. Long,	R. H. Tomlinson,
W. H. Counts,	Henry Mason,	R. S. Triplett,
Wm. T. Cox,	Isaac Middleton,	M. D. Vanhoose,
J. W. Croan,	Wm. M. Moore,	B. R. Walker,
R. H. Crossfield,	W. S. McClanahan,	R. C. Warren,
P. B. Davis,	W. C. McChord,	J. H. Welch,
John C. Draddy,	John T. McClure,	Myer Weil,
G. W. Duvall,	J. H. McDanell,	Chas. B. Wickliffe,
E. C. Flanary,	J. J. Nall,	John W. Williams,
John M. Frazee,	G. W. Norman,	Theo. C. Wolking,
T. T. Gardner,	W. R. Palin,	Wm. Wharton—81.
Wm. Garrison,	O. T. Petty,	

Whereupon the Speaker announced that Hon. Ed Porter Thompson having received a majority of all the votes cast, and of all the members elected to each House, was duly elected State Librarian, to fill the existing vacancy ending on the first Monday in June, 1890.

Mr. Richardson moved that the Joint Assembly do now dissolve.

And the question being taken thereon, it was decided in the affirmative.

The Senators then repaired to the Senate Chamber, the Speaker resumed the Chair, and called the Senate to order.

Mr. Newman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newman and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	Chas. Patteson,
Reuben Conner,	John K. Hendrick,	J. J. Paul,
W. W. Dickerson,	J. W. Martin,	J. M. Pieratt,
Sam E. English,	J. W. McCain,	B. F. Reynolds,
G. W. Gates,	John P. Newman,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	D. H. Smith,
Ben F. Bradley,	John R. Kemp,	A. H. Stewart,
R. J. Breckinridge,	J. H. Lunsford,	G. Terry,
B. F. Cockrell,	A. L. Peterman,	J. S. Wortham—14.
T. L. Glenn,	Chas. B. Poyntz,	

And then the Senate adjourned.

THURSDAY, JANUARY 23, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to legalize and declare valid an order of the Bullitt County Court of Claims made on the twenty-first day of January, 1889, levying an ad valorem tax of fifteen cents on each one hundred dollars' worth of property in Bullitt county for county purposes.

An act authorizing the County Court of Claims of the county

of Bullitt to levy an annual tax of twenty cents on each one hundred dollars of value of real and personal property in the county for county purposes.

An act for the benefit of J. L. James.

That they had concurred in the adoption of an amendment adopted by the Senate to a bill, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Planters' State Bank of Henderson.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Kitty Hawkins, widow of Samuel Hawkins, deceased, late of Christian county.

An act to incorporate the Burkesville and Northwestern Railroad Company.

An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

With amendments to the two last-named bill.

And the amendment to the last-named bill was taken up and concurred in.

The rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives, to a bill, which originated in the Senate, entitled

An act to incorporate the Burkesville and Northwestern Railroad Company.

On motion of Mr. Bradley—

Ordered, That said bill and the proposed amendment thereto be recommitted to the Committee on Railroads.

A message was received from the House of Representatives, announcing that they had adopted resolutions, of the following titles, viz :

1. Resolution authorizing the Auditor and the Treasurer to sell old coins now in the Treasurer's office, and credit the same to the Tate defalcation.

2. Resolution directing the auditing and payment of outstanding checks given by J. W. Tate, late Treasurer of Kentucky, not included in the settlement with the present Treasurer.

Which resolutions were referred to the Committee on Finance.

Mr. Dickerson, from the Committee on Privileges and Elections, to whom was recommitted a bill from the House of Representatives, entitled

An act to amend section 7 of the town of Falmouth,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 16, article 2, and sections 5 and 12, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion to the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend sections 3 and 5, and subsection 3, of section 6, of chapter 103, General Statutes, title "Strays,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of Gould and Harris, of Henry county.

By same—

An act for the benefit of Pat Punch, jailer of Montgomery county.

By same—

An act for the benefit of John Ryan, jailer of Fleming county.

By Mr. Wright, from the Committee on General Statutes—

An act to amend subsection 1, of section 4, article 12, chapter 38, of the General Statutes.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees to whom they were referred, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Taylor Bank of Campbellsville.

By same—

An act to incorporate the Citizens' Bank of Bloomfield.

By same—

An act to incorporate the People's Savings Bank and Trust Company of Newport, Campbell county, Kentucky.

By Mr. Wright, from the Committee on the Judiciary—

Resolution to appoint a committee to investigate the conducting of lotteries in the State,

Reported the same with the expression of opinion that said resolution ought to be concurred in.

Said resolution reads as follows, viz :

WHEREAS: His Excellency, the Governor, in his message to the General Assembly, calls attention to the operating of lotteries in the State; and, whereas, there are many good people who believe that the operating and conducting of said lotteries are demoralizing to the morals of the people in the communities where said lotteries are operated and conducted, and that said lotteries are being operated for the benefit of a few at the expense of the many; and, whereas, it is believed by many that the objects for which these grants were made are not being benefited thereby, but that they are being carried on by individuals for their own interest; and, whereas, it is not the policy of the State to condole crime in any manner or form; therefore, for the purpose of ascertaining when these legislative grants were given, to whom given, for what purpose, and whether they

are still conducted for the benefit of the objects for which given,

§ 1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of five, to consist of two from the Senate and three from the House of Representatives, to be appointed by the respective Speakers thereof, be, and they are hereby, directed to investigate the operating and conducting of said lotteries, to inquire under what legislative grants said lotteries are claiming to be operated, for whose benefit, and any other that will give information to the General Assembly; and for the purpose of carrying out this investigation the committee shall have power to send for persons and papers, to summon witnesses and compel their attendance, to require all witnesses to testify under oath; and further, shall have power to compel all sheriffs, marshals, and other officers to execute their summons; and said committee shall report to the General Assembly the result of its investigation at as early a day as possible, said report to be in writing; and said committee shall have power to employ a suitable person as clerk, if they see proper.

§ 2. This resolution to take effect from and after its passage.

Mr. Kemp moved that the session of the Senate be extended until the resolution under consideration should be disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Goebel moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance to a rule of the Senate, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	J. W. Martin,	Phil Roberts,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John P. Newman,	J. S. Wortham,
William Goebel,	Chas. Patteson,	D. W. Wright—30.

In the negative—W. F. Berry—1.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a joint resolution, of the following titles, viz :

An act to incorporate the Kentucky Safety Vault and Trust Company of Palucah.

Resolution providing for the appointment of a joint committee to investigate lawlessness in Harlan and Perry counties, and report thereon.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to amend the charter of the Cairo and Tennessee River Railroad Company," approved February 25, 1888 ;

An act to amend the charter of the Cairo and Tennessee River Railroad ;

An act to incorporate the Planters' State Bank of Henderson ;

An act to extend the time of the sitting of the county board of tax supervisors in Harrison county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Westview Building Company ;

An act to incorporate the People's Savings Bank and Trust Company of Louisville ;

An act to amend the charter of the Green River Coal and Mining Company ;

An act for the benefit of F. B. Henry, Sheriff of Nicholas county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message, in writing, was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, January 23, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and by and with the advice and consent of the Senate, will appoint the following-named persons Commissioners of the Kentucky Institution for the Education of Deaf Mutes: J. W. Procter, to fill vacancy occurring January 10, 1891; George F. Lee, to fill similar vacancy, of Boyle county; Dr. M. D. Logan, to fill similar vacancy, of Boyle county; Dr. John W. Powell, Mercer county, to fill similar vacancy; Boyle O. Rhodes, of Boyle county, to fill term expiring January 10, 1892; S. A. Newell, Pulaski county, to fill term expiring January 10, 1892.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

The Speaker laid before the Senate the petition of the Frankfort Typographical Union No. 164, praying for the passage of an act to increase the compensation paid to the Public Printer and Binder on plain composition from forty to sixty cents per 1000 ems.

Which was received, read and referred to the Committee on the Judiciary.

The Senate, according to order, took up, for consideration, a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth," approved February 11, 1876.

Mr. Peterman moved an amendment to said bill.

On motion of Mr. Goebel—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Secretary of State to furnish the county of Leslie with the Reports of the Court of Appeals and Acts of the General Assembly,

Reported the same without amendment.

On motion of Mr. Dickerson—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to fix the time when officers resignations shall take effect,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter all resignations of officers shall take effect and be complete when the court or officer authorized to accept said resignation accepts the same and orders it recorded in the proper office.

§ 1. This act shall take effect after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Wortham, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act defining the crime of misapplication of public moneys by county officers in this Commonwealth, and punishing persons for a violation thereof, by confinement in the penitentiary.

Reported the same without amendment.

On motion of Mr. Newman—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, January 29th, at 11 o'clock A. M., and from day to day until disposed of.

The Speaker announced the appointment of Messrs. Goebel and Anderson, members on the part of the Senate of the joint committee provided for in the joint resolution adopted by the two houses to investigate lawlessness in Perry and Harlan counties, and report thereon.

Leave was granted to bring in the following bills :

On motion of Mr. English—

1. A bill to repeal an act, entitled "An act providing for the election of surveyor of Louisville and Jefferson county."

On motion of Mr. Wright—

2. A bill in relation to judges of circuit courts, criminal courts, quarterly courts, police courts, justices of the peace, or of any presiding officer of any court in this Commonwealth suspending judgments wherein there has been a judgment of conviction for a misdemeanor.

On motion of Mr. Dickerson—

3. A bill to require the lessees of all railroads in this Commonwealth to have the contracts of lease recorded.

On motion of Mr. Anderson—

4. A bill, entitled "An act to amend an act, entitled 'An act to incorporate the Citizens' Bank of Shelbyville.'"

On motion of same—

5. A bill, entitled "An act to amend the charter of the Shelby County Trust Company."

On motion of same—

6. A bill, entitled "An act to authorize and empower the county of Shelby to refund its indebtedness incurred by reason of its subscription to the capital stock of the Cumberland & Ohio Railroad Company."

On motion of Mr. Smith—

7. A bill requiring railroad or other company or corporation operating a railroad under a lease or otherwise in this Commonwealth, in which any town, county or precinct owns stock, to

file for record with the clerk of the county court, in the county in which said road is located, a statement once each year showing in detail the expenses and earnings of such road.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d and 6th; the Committee on Railroads the 3d and 7th; and the Committee on Banks the 4th and 5th named bills.

And then the Senate adjourned.

FRIDAY, JANUARY 24, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Hopkinsville," approved April 5, 1870; and to divide the city of Hopkinsville into wards, and to provide for councilmen.

An act to incorporate Simpson County Bank, Franklin.

An act to amend an act, entitled "An act relating to the working of public roads in Washington county."

An act to fix the time of holding the quarterly court in Whitley county.

An act for the building and maintaining of bridges on county roads in the county of Campbell.

That they had passed bills of the following titles, viz:

1. An act to amend sections 641 and 642 of chapter 6, title 14, of the Civil Code of Practice.

2. An act to amend an act, entitled "An act to incorporate

the Logan Female College Company," approved March 11, 1887.

3. An act to incorporate the Howard Seminary of Owensboro for Young Ladies.

4. An act for the benefit of the Trustees of the Western Baptist Theological Institute, Georgetown, Scott county.

5. An act to establish a criminal court in Marion county.

6. An act to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1872.

7. An act to amend an act, entitled "An act to incorporate and establish a system of public schools in District No. 49, in Logan county, including the town of Adairville," passed March 24, 1888.

8. An act for the benefit of H. C. Champion, of McCracken county.

9. An act for the benefit of Miss Ida Allen, of Daviess county.

10. An act for the benefit of No. 2 Colored Common School District for Montgomery county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Codes of Practice; the 2d, 3d, 4th, 6th, 7th, 9th, and 10th to the Committee on Education; the 5th to the Committee on Courts of Justice, and the 8th to the Committee on Claims.

Mr. Wright read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That James Coleman, janitor of the water-closet, is hereby permitted to draw pay for his services as janitor at the rate of two-dollars-and-a-half per day from the beginning of the present session of the General Assembly until its adjournment, and the Auditor is authorized to draw a warrant in accordance with the provisions of this resolution, in favor of James Coleman, payable out of any money not otherwise appropriated.

2. This resolution to take effect from and after its passage.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was twice read and adopted.

On motion of Mr. English, leave of absence, indefinitely, was granted Messrs. Berry and Hays.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate Hickman College,'" approved April 20, 1888 ;

An act to incorporate the town of New Concord, in Calloway county ;

An act to amend an act, entitled "An act to establish a system of public graded schools in District No. 47, East Point ;"

An act for the benefit of Mrs. Daisey E. Harvey, common school teacher in Colored School District No. 6, Fulton county ;

An act to give Knott county her share in the surplus school bonds of Floyd, Breathitt, Perry and Letcher counties ;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Kitty Hawkins, widow of Samuel Hawkins, deceased, late of Christian county ;

An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Kemp, to reconsider the vote by which the Senate had passed a bill, entitled

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor.

(For bill, see Senate Journal, January 22d.)

And the question being taken on said motion to reconsider the vote by which the Senate had passed said bill, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and McCain, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Goebel,	J. H. Lunsford,
Reuben Conner,	John K. Hendrick,	J. J. Paul,
W. W. Dickerson,	J. P. Huff,	A. L. Peterman,
G. W. Gates,	John R. Kemp,	A. H. Stewart—13.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	J. W. McCain,	B. F. Reynolds,
B. F. Cockrell,	John McCann,	Phil Roberts,
Sam E. English,	John P. Newman,	D. H. Smith,
J. B. Hannah,	Chas. Patteson,	G. Terry,
J. W. Martin,	J. M. Pieratt,	J. S. Wortham,
D. L. May,	Chas. B. Poyntz,	D. W. Wright—19.
James H. Mulligan,		

Mr. Anderson, from the Committee on Privileges and Elections, to whom was referred a resolution from the House of Representatives, entitled

Resolution providing for a joint committee to re-apportion the State into Senatorial and Representative Districts,

Reported the same with an amendment thereto.

Said resolution reads as follows, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That a joint committee of sixteen, eleven of whom shall be of the House, no more than two of whom shall be from any one Congressional District, and shall be appointed by the Speaker of the House, and five of whom shall be of the Senate, no more than one of whom shall be from any one Congressional District, and shall be appointed by the Speaker of the Senate, is hereby appointed. Said committee is instructed to apportion the Commonwealth into Legislative Districts as required by section 6, article 1, of the Constitution of Kentucky, and likewise to apportion the Commonwealth into Senatorial Districts, as required by section 14 of said article, and said committee is instructed to report by bill, and may do so at any time.

2. This resolution to take effect from its adoption.

Said amendment reads as follows, viz :

Add section 2. This resolution to take effect from and after its adoption.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	D. L. May,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. McCain,	B. F. Reynolds,
Sam E. English,	John McCann,	D. H. Smith,
G. W. Gates,	John P. Newman,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham,
J. B. Hannah,	J. J. Paul,	D. W. Wright—23.
John K. Hendrick,	A. L. Peterman,	

Those who voted in the negative, were—

Ben F. Bradley,	J. P. Huff,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart—8.
William Goebel,	J. W. Martin,	

By unanimous consent, Mr. Wortham reported a bill, entitled

An act to empower the county court of Grayson county to levy an ad valorem tax for roads and bridges,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith, from the Committee on Banks and Insurance, to whom was recommitted a bill, entitled

An act to incorporate the Union Dime Savings Bank,
Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred leave to bring in a bill, entitled

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, and the several amendments thereto,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a second time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, of an act approved May 2, 1888, entitled "An act to amend an act, entitled 'An act to provide for the government, management and discipline of the Kentucky Penitentiary,' approved May 3, 1880, and the several amendments thereto," be, and the same is hereby, so amended as to strike out and repeal the words, viz : "*Provided*, That said Commissioners shall not parole a greater number than five per cent. of the prisoners in any one year."

§ 2. This act shall be in force and take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Terry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
B. F. Cockrell,	John R. Kemp,	A. L. Peterman,
W. W. Dickerson,	J. H. Lunsford,	J. M. Pieratt,
Sam E. English,	D. L. May,	C. B. Poyntz,
G. W. Gates,	James H. Mulligan,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	J. S. Wortham
J. B. Hannah,	John P. Newman,	D. W. Wright—27.

Those who voted in the negative, were—

Reuben Conner,	Phil Roberts,	G. Terry—5.
J. W. Martin,	A. H. Stewart,	

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of their passage of a bill, which originated in the House of Representatives, entitled :

An act to amend section 7 of the charter of the Knob Lick and McCormack's Church Turnpike Company," approved April 8, 1880.

Which was granted, and said bill was delivered to the messenger.

Bills of the following titles were reported from the several committees who were directed to prepare and bring in the same, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act to authorize the court of levy and claims of Menefee county to levy an ad valorem tax for county purposes," approved March 24, 1888.

By same—

An act for the benefit of S. S. Dennis, ex-sheriff of Morgan county.

By same—

An act for the benefit of Charles W. Howe.

By Mr. Newman, from the same committee—

An act to re-incorporate the town of Maytown, Kentucky.

By same—

An act to amend an act relating to the incorporation of the town of Prestonsburg, in Floyd county, approved March 18, 1878.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous liquors in the vicinity of schools and churches in the city of Mt. Sterling.

By Mr. Bradley, from the Committee on Railroads—

An act to require the lessees of railroads in this State to have the contract of lease recorded.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Mt. Sterling Fair Association.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to authorize the city of Dayton, in Campbell county, to issue bonds and refund her present indebtedness.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend the charter of the town of Olive Hill, in Carter county, changing boundary lines.

By Mr. Newman, from the same committee—

An act for the benefit of William Robb Procter, of Woodford county, Kentucky.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to authorize the sale of the Paris and Ruddell's Mills Turnpike Road No. 2, in Bourbon county.

By same—

An act to amend the charter of the Quick's Run and Ohio River Turnpike Road Company.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelbyville and Louisville Turnpike Road Company," approved February 28, 1882.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Newcastle, in Henry county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Mulligan was granted leave to bring in a bill, entitled

A bill to enable the Fayette County Board of Supervisors to extend its sessions.

Ordered, That the Committee on the Judiciary prepare and bring in said bill.

Mr. Hendrick moved to reconsider the vote by which the Senate had concurred in a resolution adopted by the House of Representatives, entitled

Resolution to appoint a committee to investigate the conducting of lotteries in the State.

Mr. Dickerson moved to lay said resolution on the table.

Pending which motions, Mr. Reynolds offered a joint resolution regarding the death of Hon. T. J. Megibben, ex-member of the two Houses, and further action thereon was cut off.

Said resolution proposed by Mr. Reynolds was taken up and read as follows, viz :

WHEREAS, Information has just been received of the death of Hon. T. J. Megibben, of Harrison county, an ex-member of each house of the General Assembly of this State ; therefore,

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That in his death the State has lost an

eminent and useful citizen, whose services to his State has won for him in the hearts of his people a high and lasting appreciation enjoyed by but few.

2. That we hereby extend to his widow and children our profoundest sympathy in this the hour of their deepest gloom.

3. That a copy of this resolution be forwarded to his widow by the Clerk of the Senate.

4. That in further token of our appreciation of his memory, this body do now adjourn.

5. That this resolution take effect and be in force from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was twice read and adopted.

And then the Senate adjourned.

SATURDAY, JANUARY 25, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills and concurred in the adoption of a joint resolution, which originated in the Senate, of the following titles, viz :

Resolution of respect to the memory of Hon. T. J. Megibben, ex-member of the Senate and House of Representatives.

An act to empower the county court of Grayson county to levy an ad valorem tax for roads and bridges.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Versailles," approved March 6, 1868.

An act relating to branding logs on Big Barren river and its tributaries.

An act to enable the Fayette County Board of Supervisors to extend its sessions.;

That they had passed bills and adopted joint resolutions, of the following titles, viz :

1. An act for the benefit of Hugh Pryor, of Newport, Kentucky.

2. An act to incorporate the Winchester Bank, of Winchester.

3. An act to incorporate the Anderson County Safety Vault and Trust Company.

4. An act to authorize Hiram Harris to conduct a public ferry across Big Sandy river at Prestonsburg, in Floyd county.

5. An act for the benefit of James Page Spilman, an infant, removing his disabilities.

6. An act for the benefit of the Trustees of the M. E. Church, South, in Catlettsburg.

7. An act to amend an act, entitled "An act to incorporate The Home and Savings Fund Company, of Louisville, dated April 2, 1838.

8. An act for the benefit of Mrs. J. A. Driver.

9. An act to incorporate the Bourbon Trust and Safety Vault Company of Paris.

10. An act for the benefit of E. W. Lillard, of Lancaster, Garrard county, Kentucky.

11. An act to declare navigable Big Laurel creek in Johnson and Lawrence counties.

12. An act to declare navigable the Middle Fork of Rockcastle creek, in Martin county.

13. Resolution to raise a joint committee to investigate and report whether this General Assembly has power to apportion Representatives, and to divide the State into Senatorial Districts.

14. Resolution in relation to the improvement of the Kentucky river.

15. An act for the benefit of W. H. Brown, of Cumberland county.

16. An act to incorporate the Farmers' Savings Bank of Lewisport.

17. An act for the benefit of W. W. Tabor, of Hancock county.

18. An act to incorporate the Bank of Middlesborough.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

They were referred—the 1st to the Committee on Courts of Justice; the 2d, 3d, 7th, 9th and 16th to the Committee on Banks and Insurance; the 4th, 11th and 12th to the Committee on Propositions and Grievances; the 5th to the Committee on the Judiciary; the 8th, 10th, 15th and 17th to the Committee on Claims; the 6th to the Committee on Religion and Morals; the 13th to the Committee on Privileges and Elections; the 14th to the Committee on Internal Improvements,

And the last-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled “An act to amend and reduce into one the several acts in relation to the Shelbyville and Louisville Turnpike Road Company,” approved February 28, 1882;

An act for the benefit of Jno. Ryan, jailer of Fleming county;

An act for the benefit of Pat Punch, jailer of Montgomery county;

An act for the benefit of Gould and Harris, of Henry county;

An act to amend subsection 4, article 12, chapter 38, of the General Statutes;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Versailles,” approved March 5, 1868;

An act to empower the county court of Grayson county to levy an ad valorem tax for roads and bridges;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Poyntz, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to fix the salary of the State Treasurer,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the State Treasurer shall hereafter receive an annual salary, as such Treasurer, of three thousand dollars (\$3,000), payable monthly out of the State Treasury.

§ 2. This act shall take effect from its passage.

Mr. Wortham proposed the following amendment to said bill, viz :

Amend by adding : “ This act shall not apply to the present State Treasurer.”

On motion of Mr. Poyntz—

Ordered, That said bill and the proposed amendment thereto be recommitted to the Committee on Finance.

Mr. Poyntz, from the Committee on Finance, to whom was referred a joint resolution from the House of Representatives, entitled

Resolution directing the auditing and payment of outstanding checks given by J. W. Tate, late Treasurer of Kentucky, not included in the settlement with the present Treasurer,

Reported the same without amendment.

Said resolution reads as follows, viz :

WHEREAS, Certain checks drawn by J. W. Tate, late Treasurer, in payment of claims due to individuals by the State, were not embraced in the list of unpaid checks or certified to the present Treasurer by the Commissioners appointed by His Excellency, the Governor, under the provisions of the General Statutes ; and, whereas, said checks have not been paid upon presentation to the present Treasurer for want of authority to pay them under existing law ; therefore,

1. *Be it resolved by the General Assembly of the Common-*

wealth of Kentucky, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to audit said checks when presented, and to draw his warrant upon the Treasurer for their payment, and charge the same, when paid, to the Tate defalcation.

2. This resolution shall take effect from its passage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act concerning the health department of the city of Louisville.

Which was granted.

Whereupon the Speaker appointed Mr. English said committee on the part of the Senate.

After a short time, Mr. English, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McCann moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCann proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 1, article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Mr. Newman objected to the further reading of said bill on this day.

Mr. Wortham moved that the rules be suspended, and that said bill be read a second time.

And the question being taken thereon, it was decided in the negative.

So said bill fell into the orders of the day.

Mr. Peterman moved that when the Senate adjourns, it adjourn to meet on Tuesday, January 28, 1890, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Terry and Conner, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	D. L. May,	Phil Roberts,
Sam E. English,	John McCann,	J. S. Wortham,
J. B. Hannah,	John P. Newman,	D. W. Wright—18.

Those who voted in the negative, were—

Reuben Conner,	J. H. Lunsford,	J. J. Paul,
T. L. Glenn,	J. W. Martin,	J. M. Pieratt,
John R. Kemp,	J. W. McCain,	G. Terry—9.

Mr. Kemp, from the Committee on Library and Public Buildings, to whom was recommitted a bill, which originated in the Senate, entitled

An act to create the Board of State House Commissioners, and to provide for the erection and completion of the Capitol and other necessary public buildings at the seat of government,

Reported the same, without an expression of opinion.

On motion of Mr. Kemp—

Ordered, That the further consideration of said bill be post-

poned, and that said bill be made the special order of the day for Thursday, January 30, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was recommitted a bill from the House of Representatives, entitled

An act to incorporate the Third English Evangelical Lutheran Church, of Louisville,

Reported the same with an amendment thereto.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was referred the following resolution, viz :

Resolved, That George Kendrick is hereby appointed as an additional Page in this body.

Reported the same, with the expression of opinion that said resolution ought to be adopted.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Terry and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	D. L. May,	J. J. Paul,
T. L. Glenn,	J. W. McCain,	J. M. Pieratt,
J. P. Huff,	John McCann,	Chas. B. Poyntz,
William Lindsay,	Jno. P. Newman,	Phil Roberts—14.
J. W. Martin,	Chas. Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. S. Wortham,
B. F. Cockrell,	John R. Kemp,	D. W. Wright—11.
Reuben Conner,	J. H. Lunsford,	

The Senate took up for consideration the motion heretofore entered by Mr. Dickerson, to lay on the table the motion here-

tofore made by Mr. Hendrick, to reconsider the vote by which the Senate had concurred in the adoption of a joint resolution, which originated in the House of Representatives, entitled

Resolution to appoint a committee to investigate the conducting of lotteries in this State.

(*For resolution, see Senate Journal, January 23, 1890.*)

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills :

On motion of Mr. Stewart—

1. A bill for the benefit of George W. Baker, of Clay county.

On motion of Mr. Hannah—

2. A bill to amend section 420 of the Civil Codes of Practice.

On motion of same—

3. A bill to amend subsection 1, of section 606, of the Civil Code.

On motion of same—

4. A bill to amend article 17, chapter 29, of the General Statutes.

On motion of same—

5. A bill to amend the charter of the town of Sandy Hook, in Elliott county.

On motion of Mr. Lindsay—

6. A bill to incorporate the Columbia Finance and Trust Company.

On motion of Mr. Kemp—

7. A bill to amend section 7, chapter 81, of the General Statutes.

On motion of Mr. Hendrick—

8. A bill to amend article 4, chapter 92, of the General Statutes, entitled "Revenue and Taxation."

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on Codes of Practice the 2d and 3d; the Committee on Religion and Morals the 4th; the Committee on General Statutes the 5th and 7th; and the Committee on the Judiciary the 6th and 8th.

Mr. Terry, from the Committee on Appropriations, to whom

was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Centertown, in Ohio county,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Conner, leave of absence, indefinitely, was granted Messrs. Smith, Reynolds and Patteson.

A message, in writing, was received from the Governor by Hon. Willis Ringo, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Green River Coal and Mining Company.

An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

An act for the benefit of Kitty Hawkins, widow of Samuel Hawkins, deceased, late of Christian county.

An act to incorporate the People's Savings Bank and Trust Company of Louisville.

An act for the benefit of F. B. Henry, Sheriff of Nicholas county.

A message in writing was received from the Governor by Mr. Willis Ringo, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 24, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for

the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Robert L. Alexander, Allen county.
E. P. Bean, Jr., Bourbon county.
Howard M. Benton, Campbell and Kenton counties.
S. C. DeGarmo, Fayette county.
W. T. Ewing, Mercer county.
R. Gudgell, Bath county.
M. L. Harbeson, Kenton county.
Jno. W. Lassing, Boone county.
Charles Meriwether, Jefferson county.
Wallace A. McKay, Jefferson county.
T. B. McIntyre, Edmonson county.
Chas. Y. Peck, Fayette county.
Kittie Phelps, Fayette county.
Porter Prather, Owen county.
A. M. Rutledge, Jefferson county.
James H. Sallee, Mason county.
H. P. Stephens, Boone county.
J. W. Stoll, Fayette county.
A. A. Tinsley, Anderson county.
L. L. Tiller, Gallatin county.
J. M. Tisdale, Kenton county.
J. N. Wooliscroft, Kenton county.
Wm. M. Wright, Union county.
Lyman L. Parks, Jefferson county.
Q. C. Quigley, McCracken county.
A. A. Edwards, Bell county.
Thos. P. Satterwhite, Jr., Jefferson county.
Thomas Deering, Jefferson county.
Marmaduke B. Bowden, Jefferson county.
J. Frank Grant, Boone county.
L. S. Kohnhorst, Jefferson county.
R. A. Mitchell, Bell county.
Jonas Martin, Lyon county.
John B. Payne, Jr., Fayette county.
D. N. Redman, Anderson county.
Geo. P. Wilshire, Campbell county.

Very respectfully,
S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Poyntz, from the Committee on Finance, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution authorizing the Auditor and the Treasurer to sell

old coins now in the Treasurer's office and credit the same to the Tate defalcation,

Reported the same with an amendment.

Said resolution reads as follows, viz :

WHEREAS, The Commissioners appointed by His Excellency, the Governor, under the provisions of the General Statutes, to settle and state the accounts of the late Treasurer, J. W. Tate, and to turn the office over to his successor, found in the vaults of the Treasury certain gold and silver coin, of various denominations, which were not available for the purpose of a circulating medium, but which have an intrinsic value, and are the property of the State ; therefore,

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts and the Treasurer be, and they are hereby, authorized to sell said coin, and to cover the proceeds thereof into the Treasury, and the Auditor is directed to credit the account of the Tate defalcation with whatever sum may be realized therefrom.

2. This resolution shall take effect from its passage.

The amendment proposed by the committee reads as follows, viz :

Amend section 1 by adding after the word "sell," in the sixth line, the following words: "At public auction, after duly advertising time and place of sale."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to authorize the Secretary of State to furnish the county of Leslie with the Reports of the Court of Appeals and Acts of the General Assembly,

Reported the same, with an amendment as a substitute therefor,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend article 8, of chapter 92, of the General Statutes, entitled "Revenue and Taxation,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. McCain—

Ordered, That said bill be printed, and recommitted to the Committee on General Statutes.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider, in Spurlington, Kentucky, or within three miles thereof in Taylor county,"

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Patteson—

Ordered, That said bill be recommitted to the Committee on Religion and Morals.

Mr. Kemp, from the Committee on Library, Public Buildings and Offices, to whom was referred leave to bring in a bill, entitled

An act to remove the capital and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings at Hamilton Place,

Reported the same, without an expression of opinion.

Which bill was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the seat of Government and capital of the Commonwealth of Kentucky be, and the same is hereby, removed from the city of Frankfort to Hamilton Place, in Scott county, where the same shall hereafter be located and remain.

§ 2. That the removal of the capital and seat of Government, as provided in section 1 of this act, shall not take place or be made until Milton Hamilton or his agent or representatives shall, on or before the first day of July, 1890, deposit with the Treasurer, for the use and benefit of the State, fifty thousand dollars (\$50,000), and shall, on or before said date, deposit with the Secretary of State a deed of general warrantee, conveying to the Commonwealth of Kentucky, in fee simple, one hundred acres of land, being part of Hamilton Place, situated and being in said county of Scott, sixteen miles east of Frankfort, one mile west of Georgetown, bounded on the north by the Frankfort & Georgetown Turnpike road, on the east by the Georgetown & Payne's Depot Turnpike road. Said one hundred acres to be so laid off and bounded as to have equidistant frontage on each of said roads, and so as to include all of the buildings, of whatsoever nature or kind, on said Hamilton Place; nor shall said removal be made until said Hamilton shall deposit with the Secretary of State, for the use and benefit of the State, bonds of the citizens of Georgetown and Scott county, payable in two years from July 1, 1890, for one hundred and fifty thousand dollars, with ample and sufficient security.

§ 3. Upon the deposit of money, delivery of the deed and bonds aforesaid, it shall be the duty of the Governor to appoint seven commissioners, all of whom shall be citizens of this State, and one of whom shall be a resident of Scott county, who shall proceed, without unnecessary delay, to cause to be erected and constructed upon said land all necessary buildings for the use of the government officials and for the accommodation of the General Assembly, upon plans, specifications and designs to be made and selected by them. Said Commissioners shall be a body-corporate and politic, to be known and styled "The Board of State House Commissioners." It may contract and be contracted with, sue and be sued, and do all other things necessary and proper to execute the duties and powers imposed and conferred upon them by this act. It shall continue in existence for five years. They shall be sworn to discharge their duties.

§ 4. The board may employ a secretary at a salary not exceeding \$1,000 per annum; it may also employ such architects and

assistants as may be found necessary ; their compensation shall be fixed by contract. The secretary, architects and assistants may be removed by the board at will. The board shall cause to be kept a fair and complete record of its proceedings, with a detailed statement of all moneys expended under its direction. It shall carefully preserve all drawings, plans, charts and paper connected with the work committed to its charge. It shall report to the General Assembly at each of its sessions.

§ 5. All work shall be let to contractors upon due publication ; the best bidder shall be preferred, and the solvency, character and capacity of the bidder shall be considered in the determination of which is the lowest and best bid. Contractors shall be required to execute bonds with good sureties, conditioned for the prompt and faithful performance of their contracts. Such bonds shall be made payable to the Commonwealth, and for their breach the Board of State-House Commissioners may maintain action in its own name, and the Franklin circuit court shall have jurisdiction of such actions without regard to the residence of the parties defendant. In addition to the bonds taken from the contractors, the board shall retain at least 20 per cent. of the contract price of the work until the contracts shall be fully completed.

§ 6. To enable the Board of State-House Commissioners to carry out the objects and purposes of this act, the Auditor of Public Accounts is hereby directed and required, out of the funds subscribed and deposited by said Hamilton, to draw his warrants on the Treasurer to the credit of said board, from time to time, as said objects and purposes may require, sums of money aggregating in the year ending January 1, 1891, the sum of \$50,000, and during the year ending January 1, 1892, \$150,000, the residue of the sums of money necessary to complete said buildings will be provided from time to time by the General Assembly.

§ 7. The members of the board shall receive no pay for their services, except members who reside outside of Scott county shall be paid same mileage as members of the General Assembly.

§ 8. This act to take effect from its passage.

Mr. Kemp moved that 200 copies of said bill be printed.

Mr. Newman moved to lay the bill on the table,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conner and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,
B. F. Cockrell,

J. W. Martin,
J. W. McCain,

J. M. Pieratt,
Chas. B. Poyntz,

J. B. Hannah,	John P. Newman,	Phil Roberts,
John K. Hendrick,	Chas. Patteson,	J. S. Wortham,
J. P. Huff,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative, were—

Ben F. Bradley,	T. L. Glenn,	D. L. May,
R. J. Breckinridge,	John R. Kemp,	John McCann,
Reuben Conner,	William Lindsay,	A. L. Peterman,
Sam E. English,	J. H. Lunsford,	G. Terry—12.

So said bill was rejected.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Burkesville and Northwestern Railroad Company,

Together with an amendment adopted by the House of Representatives to said bill,

Reported the same, with the expression of opinion that said amendment should be concurred in.

The House amendment to said bill reads as follows, viz :

Amend section 10 by inserting after the word "river," and before the word "and," in the tenth line, the following, "or to Glasgow, Kentucky."

Amend section 17 by striking out all of said section after the word "town," in the eighth line.

Amend section 19 by adding after the word "donation," in the last line, the following: "*And provided, further,* That this act shall be void unless the work on said railroad shall be commenced in good faith within two years, and that the said road shall be completed within five years from the date of the passage of this act."

Mr. Peterman moved to amend said amendment as follows, viz :

Amend by adding thereto, as a further amendment of the bill, the following, viz :

Also amend section 9 by adding after the word "notes," on the last line, the following :

"That nothing in this act shall be construed to authorize any county, town, city or precinct to subscribe stock to said railroad."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken upon concurring in the adoption of said amendment, as amended, and it was decided in the affirmative.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Newman, from the Committee on the Judiciary—

An act to enable the Fayette County Board of Supervisors to extend its session.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Bank of Campbellsville.”

By Mr. Anderson, from the Committee on General Statutes—

An act to authorize and empower the county of Shelby to refund its indebtedness incurred by reason of its subscription to the capital stock of the Cumberland and Ohio Railroad Company.

By same—

An act to repeal section 13, of chapter 84, of the General Statutes, entitled “Peddlers,” so far as the same applies to Mason and Lewis counties.

By same—

An act to amend section 2, article 17, chapter 29, of the General Statutes.

By Mr. McCann, from the Committee on Railroads—

An act to incorporate the Louisville and Southeastern Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following

titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of H. C. Champion, of McCracken county.

By Mr. Newman, from the Committee on Courts of Justice—

An act declaring the sheriff of Marion county to be *ex officio* railway tax collector of said county.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled “An act to incorporate the Windom and Hickman Turnpike Road, in Jessamine county.”

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Lexington Charity Organization Society.

By Mr. Bradley, from the Committee on Railroads—

An act to amend the charter of the Louisville and Jeffersonville Bridge Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named, as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, JANUARY 28, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate Hickman College,' " approved April 20, 1888.

An act to incorporate the town of New Concord, in Calloway county.

An act to amend an act, entitled "An act to establish a system of public graded schools in District No. 47, East Point.

An act to extend the time of the sitting of the County Board of Tax Supervisors, in Harrison county.

An act to incorporate the Planters' State Bank of Henderson.

An act to amend the charter of the Cairo and Tennessee River Railroad.

An act to amend an act, entitled "An act to amend the charter of the Cairo and Tennessee River Railroad Company," approved February 25, 1888.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelbyville and Louisville Turnpike Road Company," approved February 28, 1882.

An act for the benefit of Mrs. Daisy E. Harvey, common school teacher in Colored School District No. 6, Fulton county.

An act to give Knott county her share in the surplus school bonds of Floyd, Breathitt, Perry and Letcher counties.

An act to amend subsection 1, of section 4, article 12, chapter 38, of the General Statutes.

An act for the benefit of John Ryan, jailer of Fleming county.

An act for the benefit of Patrick Punch, jailer of Montgomery county.

An act for the benefit of Gould and Harris, of Henry county.

Resolution to appoint a committee to investigate the conducting of lotteries in this State.

Resolution providing for a joint committee to re-apportion the State into Senatorial and Representative Districts.

That they had concurred in the adoption of amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act concerning the health department of the city of Louisville.

An act to amend section 3, of chapter 97, of the General Statutes.

That they had concurred in the adoption of a joint resolution, which originated in the Senate, entitled

Resolution providing for the payment of two dollars and a half per day to James Coleman, Janitor of water-closet.

That they had disagreed to bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Hickman County Banking and Trust Company.

An act to make it unlawful for any person in this Commonwealth to give, sell or barter cigarettes to certain children, or to others for their use, or to induce such children to use the same, and providing penalties for the violation thereof.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act providing for the summoning and pay of jurors in the Pulaski Quarterly Court.

An act amending the charter of the Farmers' and Drovers' Bank, of Louisville.

An act to incorporate the Kentucky Savings Bank, at Louisville.

An act to incorporate the People's Bank of Owensboro.

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City, in Boyle county."

An act to authorize and empower the county of Shelby to refund the indebtedness incurred by reason of its subscription to the capital stock of the Cumberland & Ohio Railroad Company.

An act to amend an act, entitled "An act to incorporate the Somerset Banking Company," approved February 13, 1888.

An act to authorize Ignatius H. Pike, of Union county, to transact business under the same responsibilities of a man of full age.

An act to incorporate the Bank of Whitesville.

An act to incorporate the Columbus Bank.

With amendments to the two last-named bills.

And the amendment to the last-named bill was taken up for consideration.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

That they had adopted a joint resolution, entitled

Resolution directing the joint Committee on Charitable Institutions of the two Houses to investigate the condition of certain lunatics confined in the jails of this Commonwealth.

Which was taken up, twice read and concurred in.

That they had passed bills of the following titles, viz :

1. An act to permit the wife to testify in certain criminal and penal cases against her husband.

2. An act creating a Board of Commissioners for Nicholas county.

3. An act to prohibit the sale of spirituous, vinous or malt liquors, or mixture thereof, or any other intoxicating drink, within a radius of three miles of the Beech Bottom Baptist Church House, in Clinton county.

4. An act to amend the charter of the Owensboro Safety Vault and Trust Company.

5. An act to authorize the county court of Hart county to erect a work-house on the county farm, and to authorize the confinement of certain persons therein, and to work them on the county farm.

6. An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors in Henry county, approved April 13, 1886, and amendments thereto approved May 7, 1886, and to further regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county.

7. An act to amend an act, entitled "An act to incorporate the East Hickman and Jessamine County Turnpike Company."

8. An act to amend an act, entitled "An act to incorporate the Windom Turnpike Company."

9. An act to amend chapter 53, General Statutes, entitled "Idiots and Lunatics."

10. An act to repeal an act, entitled "An act requiring the court of claims of Simpson county, Kentucky, to make compensation to road overseers in said county."

11. An act to amend an act, entitled "An act to incorporate the Mt. Vernon and Pisgah Turnpike Company, in Woodford county."

12. An act to establish an additional voting place in Breckinridge county, at Webster Station.

13. An act to amend chapter 1467 of the acts of 1883-4, approved May 12, 1884, authorizing the county court, at its county court of claims, to levy an ad valorem tax, and fix the county levy in Russell county.

14. An act defining the rights and powers of the county of Kenton in turnpike road companies in Kenton county, to the construction of which roads said county has contributed money.

15. An act to authorize the Lewis county court to levy and collect an ad valorem tax for bridge purposes, and to empower the county judge to convene the justices in extra session.

16. An act to amend an act, entitled "An act to incorporate the Mulberry and Consolation Turnpike Road Company, in Shelby county."

17. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of New Castle, in Henry county.

18. An act to incorporate the Hickman Building and Loan Association, of Hickman, Kentucky.

19. An act to authorize the county court of claims to levy and collect an ad valorem tax in Henry county.

20. An act for the benefit of Breck Combs, sheriff of Breathitt county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, to the Committee on Codes and Practice; the 2d and 13th, to the Committee on Agriculture and Manufactures; the 3d, to the Committee on Religion and Morals; the 4th, to the Committee on Banks and Insurance; the 5th, to the Committee on the Judiciary; the 6th, 9th, 10th and 17th, to the Committee on General Statutes; the 7th, 8th and 11th, to the Committee on Internal Improvements; the 12th and 16th, to the Committee on Privileges and Elections; the 14th and 15th, to the Committee on Courts of Justice,

And the three last-named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution requesting the Secretary of State and Public Printer to furnish certain information,

Reported the same without amendment.

Said resolution reads as follows, viz :

WHEREAS, by the requirements of an act, entitled “An act for taking the sense of the people of the Commonwealth as to the necessity or expediency of calling a convention to amend the Constitution, and for ascertaining the number of citizens entitled to vote for Representatives within this State,” approved January 20, 1888, it was made the duty of the Secretary of State, after the adjournment of the General Assembly by which said act was passed, to make out the form of a registration book and certificates, as provided therein, and to furnish the same to the Public Printer forthwith; and, whereas, by the provisions of the said act it was made the duty of the Public Printer to make up and bind, in the usual form, one registration book with a certificate thereon for each voting place in the State; also, the duplicate certificate and county certificate, and send the same to the several sheriffs, who should see that they were delivered and used at the various voting places, as herein required; and, whereas, by the provisions of said act, it was made the further duty of the Secretary of State to have the said act advertised

Resolution providing for a joint committee to re-apportion the State into Senatorial and Representative Districts ;

An act to amend an act, entitled "An act to incorporate the Windom and Hickman Turnpike Road, in Jessamine county ;

An act to amend section 3, of chapter 97, of the General Statutes ;

An act to incorporate the Lexington Charity Organization Society ;

An act declaring the sheriff of Marion county to be *ex officio* railway tax collector of said county ;

An act for the benefit of H. C. Champion, of McCracken county ;

Resolution to appoint a committee to investigate the conducting of lotteries in the State ;

Resolution directing the auditing and payment of outstanding checks given by J. W. Tate, late Treasurer of Kentucky, not included in the settlement with the present Treasurer ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Somerset Banking Company," approved February 13, 1888 ;

An act providing for summoning and pay of jurors in the Pulaski Quarterly Court ;

An act amending the charter of the Farmers' and Drovers' Bank of Louisville ;

An act to incorporate the Kentucky Savings Bank at Louisville ;

An act to incorporate the People's Bank of Owensboro ;

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City, in Boyle county ;"

An act relating to branding logs in Big Barren river and its tributaries ;

An act to enable the Fayette County Board of Supervisors to extend its sessions ;

An act to authorize and empower the county of Shelby to refund its indebtedness, incurred by reason of its subscription to the capital stock of the Cumberland and Ohio Railroad Company ;

Resolution providing for the payment of two dollars and a half per day to James Coleman, janitor of water-closet ;

Resolution of respect to the memory of T. J. Megibben, ex-member of the Senate and House of Representatives ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act authorizing the Powell County Court to issue bonds in \$20,000 to build a new court-house and jail,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the

Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to amend the charter of the Westview Building Company.

Which was granted.

Whereupon the Speaker appointed Mr. English said committee on the part of the Senate.

After a short time, Mr. English, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

A message was received from the House of Representatives, announcing that they had reconsidered the vote by which they had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the Westview Building Company.

On motion of Mr. English—

The Clerk was directed to withdraw from the House of Representatives, the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to amend the charter of the Westview Building Company.

After a short time, the Clerk announced that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. English moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. English moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Pieratt, from the Committee on Religion and Morals, to

whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider, in Spurlington, Kentucky, or within 3 miles thereof, in Taylor county."

Reported the same without amendment.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the motion heretofore entered by Mr. Terry, to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering said bill to a third reading, were then reconsidered.

Mr. Terry proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to prohibit the sale of spirituous, malt and vinous liquors in Morgantown, Kentucky, and within half a mile of the corporate limits of said town, and to provide the punishment for selling any of said liquors,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker announced the appointment of Messrs. Wortham and Wright a special committee on the part of the Senate, in pursuance of the provisions of a joint resolution, providing for the appointment of a committee to investigate conducting lotteries in the State.

The Speaker announced the appointment of Messrs. Smith, McCain, Roberts, English and Terry a special committee on the part of the Senate, in pursuance of the provisions of a joint resolution, providing for a joint committee to re-apportion the State into Senatorial and Representative Districts.

Mr. Anderson, from the Committee on Privileges and Elections, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

A resolution to raise a joint committee to investigate and report whether this General Assembly has power to apportion Representatives, and to divide the State into Senatorial Districts,

Reported the same without amendment.

On motion of Mr. Breckinridge,

Ordered, That the further consideration of said resolution be postponed, and that said resolution be made the special order of the day for Wednesday, February 12, 1890, at 12 o'clock M., and from day to day until disposed of.

Leave was granted to bring in the following bills :

On motion of Mr. Breckinridge—

1. A bill to repeal an act, entitled “An act to better protect turnpike roads in which the State is interested,” which act was approved May 15, 1886.

On motion of same—

2. A bill to amend section 15, of article 1, chapter 5, of the General Statutes.

3. A bill to repeal an act for the benefit of graded free schools in this Commonwealth, which was approved May 4, 1888.

On motion of same—

4. A bill to amend section 2, of article 4, chapter 12, of the General Statutes.

On motion of same—

5. A bill to repeal an act, entitled “An act to regulate change of venue in civil actions,” which was approved April 9, 1880.

On motion of Mr. McCann—

6. A bill to amend an act, entitled “An act to incorporate the Louisville Railway Company,” approved January 22, 1867.

On motion of Mr. Roberts—

7. A bill, entitled “An act to incorporate the Eclectic Medical Association of Kentucky.”

On motion of Mr. Martin—

8. A bill, entitled “An act to prohibit the sale of spirituous, malt and vinous liquors in Morgantown, Butler county, and within half a mile of the corporate limits of said town, and to provide the punishment for selling any of said liquors.”

On motion of Mr. Shearer—

9. A bill to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the United Baptist Church, at Seventy-six, in Clinton county.

On motion of Mr. Reynolds—

10. A bill to incorporate the Middlesborough Street Railway Company.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on General Statutes, the 2d, 4th and 5th; the Committee on Education, the 3d; the Committee on Railroads, the 6th and 10th; the Committee on Public Health, the 7th, and the Committee on Religion and Morals, the 8th and 9th.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend section 1, article 29, chapter 29, of General Statutes, entitled “Crimes and Punishments.”

The question being on reading said bill a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham—

Ordered, That the further consideration of said bill be postponed until to-morrow.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to empower the county court of Grayson county to levy an ad valorem tax for roads and bridges.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Versailles," approved March 6, 1868.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, January 28, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Edward Atkinson, Henderson county.

Frank M. Brown, Campbell county.

J. W. Chapman, Scott county.

J. B. Coffman, Logan county.

J. O. Miller, Montgomery county.

S. R. Newman, Fleming county.

E. A. Offutt, Anderson county.

R. W. Phillips, Campbell county.

Ira L. Smith, Christian county.

Edwin Forrest Sprague, Kenton county.

Jno. P. Wells, Johnson county.

J. P. Williams, Franklin county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, January 28, 1890. }

Gentlemen of the Senate and House of Representatives :

It is my pleasing duty to transmit to you a communication from Miss Mary Stewart Bunch, embodying a quotation from the last will and testament of Mrs. Bunch, of Henderson, Kentucky, presenting to the State of Kentucky the portrait of her first husband, Major Phillip N. Barbour, of the United States Army. Major Barbour was a native of Kentucky, a graduate of the United States Military Academy at West Point, an officer of the 3d regiment of U. S. Infantry, a gentleman of refinement and varied accomplishments, a man of patriotic and chivalrous impulses, with a heart "open as day to melting charity," and a fearless soldier, who died at the head of his regiment in the terrible conflict at Monterey, during the war with Mexico. The portrait now hangs in the Library at the State Capitol. I doubt not the General Assembly will take appropriate action in acknowledging this bequest, and in perpetuating the memory of one of the most gallant of her sons, whose chivalrous actions have reflected honor upon the Commonwealth.

Very respectfully,

S. B. BUCKNER.

HENDERSON, KY., Nov. 16th, 1889.

Governor BUCKNER :

SIR: The picture of Major Phillip N. Barbour is to be shipped to-day by express to Capt. E. Porter Thompson, Librarian, Frankfort, Kentucky, as you stated in your letter. In mother's will she expresses herself thus: "The portrait of Major Barbour, I present to the State of Kentucky, to adorn the walls of the Capitol." If you will be so kind as to present the gift to the General Assembly with her request, I will be greatly obliged. Please let me hear if it arrived safely.

Respectfully,

MARY STEWART BUNCH.

On motion of Mr. Mr. Lindsay—

Ordered, That said communication and accompanying letter be referred to the Committee on Military Affairs.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled “An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth.”

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled “An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth,” approved May 26, 1874, be amended as follows: That it shall be the duty of the judge of the county court in each county of this Commonwealth, upon a written petition, signed by at least twenty of the legal voters in any county or civil district, town or city in his county, to make an order on his order book on the first day of the next regular term of his court, after he receives said petition, directing the sheriff, or other officer, whose duty it may be to hold the election, to open a poll in said county, district, town or city, on the day designated in said petition, it not being a day for any State or county election, for the purpose of taking the sense of the legal voters in said county, district, town or city, upon the proposition whether or not spirituous, vinous or malt liquors shall be sold therein.

§ 2. It shall be the duty of the county court clerk to give to the sheriff, or other officer, whose duty it shall be to hold the election mentioned in section 1 of this act, a certified copy of the order of the judge of the county court, as it appears on his order book, within ten days after said order is made.

§ 3. It shall be the duty of the sheriff, or other officer, whose duty it may be to hold the election mentioned in section 1 of this act, to have the order of the judge of the county court published in some weekly or daily paper, published in the county, for at least twenty days before the election; and, also, to advertise the same by printed hand-bills, posted at ten conspicuous places in said county, district, town or city, for the same length of time, and if there is no daily or weekly newspaper published in the county, then printed hand-bills, posted as before provided for, shall be sufficient notice. The sheriff, or other officer,

whose duty it shall be to hold the election mentioned in section 1, shall have the advertisement and notices herein provided for, posted as above provided for, within ten days after he receives the order of the county judge, and twenty days before the election.

§ 4. It shall be the duty of the sheriff, or other officer, whose duty it may be to hold the election mentioned in section 1 of this act, to open a poll, and the election officers shall propound to each voter who may vote, the question: "Are you in favor of the sale of spirituous, vinous or malt liquors in this county, district, town or city?" and his vote shall be entered for or against it, as he directs. The poll shall be returned, examined and compared by the same officers as the other polls in State or county election.

§ 5. If it shall be found that a majority of the legal votes cast at the election before provided for were given against the sale of spirituous, vinous or malt liquors, in the county, district, town or city, it shall be the duty of the examining board to certify that fact, which certificate shall be delivered to the clerk of the county court, and by him safely kept until the next regular term of the county court, at which term the judge thereof shall have the same spread on the order book of his court, and said entry of the certificate in the order book, or a certified copy thereof, shall be *prima facie* evidence in all proceedings under this act.

§ 6. After the entry of the certificate of the examining board, as above provided for, in the order book of the county court, it shall be unlawful for any person to sell any spirituous, vinous or malt liquors in said county, district, town or city, to any person, except as hereinafter provided for, and any person who sells such liquors in said county, district, town or city shall, upon conviction, be fined the sum of not less than one hundred dollars, nor more than five hundred dollars, for each offense.

§ 7. The provisions of this act shall not apply to any manufacturer or wholesale dealer who, in the usual course of trade, sells by the wholesale, and in quantities not less than ten gallons at any one time, nor to druggists who sell for sacramental purposes, or for medicinal purposes, on a prescription made and signed by a regular resident practicing physician: *Provided*, That said druggist has first complied with the provisions set forth in section 10 of this act, but no physician shall make or sign any such prescription, except the person for whom it is made is actually sick, and such liquor is absolutely required as a medicine, and any physician who makes or signs any prescription for such liquors, except as provided in this act, shall be guilty of a violation of this act, and, on conviction, be fined in any sum not less than one hundred dollars for such offense.

§ 8. The election herein provided for shall not be held oftener than every three years, and the officers to conduct an election held under this act shall be appointed by the county court, and

divided as near as may be, at each voting place, between the friends of those for and those against the sale of the liquors aforesaid, and said officers shall be governed by the laws of the Commonwealth regulating the mode and manner of holding and conducting election for Governor and other officers.

§ 9. The county judge shall not make the order for the election until the persons signing the petition have deposited with him, in money, an amount sufficient to pay for printing or posting advertisements as provided for, and the fees of the clerk for making entries on the order book, and other legal fees.

§ 10. Before any druggist shall be allowed to sell any spirituous, vinous or malt liquors upon the prescription of a regular resident practicing physician, as provided for in section 7, he shall execute a bond to the Commonwealth of Kentucky, in the county court of the county where he carries on his business, in the sum of \$2,000, with good security, residing in said county, conditioned that the druggist will comply with the provisions of this act, and any druggist who shall sell such spirituous, vinous or malt liquors, without first having executed said bond, or without having received the prescription from such physician, shall be fined for each offense not less than one hundred dollars nor more than five hundred dollars.

§ 11. It shall be the duty of every druggist who sells the liquors aforesaid under this act, to keep each prescription for said liquors, or either of them, in a book separate, and the name of the person for whom said prescription was made, and apart from all other prescriptions, and that he shall keep said book in a public place in his store, open for public inspection, and subject to the call of the grand jury or court having jurisdiction to try any offense under this act; and upon the failure of said druggist to keep such book as aforesaid, he shall be fined for each offense in a sum not less than one hundred nor more than five hundred dollars; and any person who shall remove, mutilate, deface or otherwise injure any prescription filed in said book, shall be fined in any sum not less than one hundred dollars for each offense.

§ 12. If it shall be found that a majority of the legal votes cast at said election are in favor of the sale of spirituous, vinous or malt liquors in the county, then, in that event, it shall not be lawful to sell any such liquors in any of the districts of said county in which the law known as the local option law has hitherto been voted, and is at the time of this election in force, or prohibited by a special act of the Legislature; but such law shall remain and be in full force in said districts just as if no vote under this act had been voted, unless a majority of the legal voters of that particular town, city or district vote for the sale of said liquors.

§ 13. If a majority of the votes cast be against the sale of said liquors in any county, or in any district, town or city in any county, the judge of the county court of said county shall, by

public proclamation, published either in the county paper or by printed hand-bills, posted at five or more public places in said county, district, town or city, announce that the said sale is prohibited in said county, district or city by name, and when this act shall, or will, go into effect in said county, district, town or city.

§ 14. The circuit and criminal courts of this Commonwealth shall have jurisdiction over offenses committed against the provisions of this act, and the circuit and criminal judges of this Commonwealth shall give this act in charge to the grand juries of their respective courts at each term of the court.

§ 15. If a majority of the legal votes cast in any county be for the sale of said liquors, and a majority of the legal votes of said district, town or city, in said county, be against the sale of said liquors, then it shall be the duty of the examining board to certify that fact, as in section 5 of this act, and the provisions of this act shall be in force in such districts, town or city, giving such majority against the sale of said liquors.

§ 16. Nothing in this act shall be construed to interfere with the privilege of any person who is selling liquors under a license properly granted, until the expiration of such license.

§ 17. This act shall take effect from and after its passage.

Mr. Patteson moved to lay said bill on the table.

And the question being taken thereon it was decided in the negative.

The yeas and nays being required thereon by Messrs. Huff and McCain, were as follows, viz :

Those who voted in the affirmative, were—

Sam E. English,	John McCann,	Phil Roberts,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—6.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	J. W. Martin,	B. F. Reynolds,
Reuben Conner,	D. L. May,	J. H. Shearer,
J. B. Hannah,	James H. Mulligan,	D. H. Smith,
J. P. Huff,	J. W. McCain,	G. Terry—21.

Mr. Kemp moved that the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, February 12, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	John R. Kemp,	Chas. Patteson,
R. J. Breckinridge,	William Lindsay,	J. J. Paul,
B. F. Cockrell,	J. H. Lunsford,	A. L. Peterman,
Reuben Conner,	J. W. Martin,	J. M. Pieratt,
Sam E. English,	D. L. May,	B. F. Reynolds,
T. L. Glenn,	James H. Mulligan,	J. H. Shearer,
J. B. Hannah,	J. W. McCain,	G. Terry,
J. P. Huff,	John McCann,	J. S. Wortham—24.

Those who voted in the negative, were—

W. H. Anderson,	Phil Roberts,	D. H. Smith—3.
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Mr. Patteson moved to take from the table a bill, which originated in the Senate, entitled

An act to remove the capital and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings, at Hamilton Place.

And the question being taken thereon, it was decided in the affirmative

The yeas and nays being required thereon by Messrs. Roberts and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	James H. Mulligan,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	Phil Roberts,
J. B. Hannah,	John McCann,	J. H. Shearer,
J. P. Huff,	Chas. Patteson,	J. S. Wortham—18.

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English,	G. Terry—4.
Reuben Conner,		

Mr. Glenn, who voted in the affirmative thereon, asked to have his vote changed and recorded in the negative on the mo-

tion to reconsider the vote by which the Senate had passed a bill, entitled

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishment therefor,

Which was granted.

And then the Senate adjourned.

WEDNESDAY, JANUARY 29, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to adopt the Civil and Criminal Codes of Practice of Kentucky, edited by John D. Carroll.
2. An act to incorporate the Citizens' Bank of Princeton.
3. An act to incorporate the Edison Electric Illuminating, Heating and Power Company, of Newport, Kentucky.
4. An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company.
5. An act to authorize the Board of Trustees of the town of Crab Orchard, Kentucky, to issue bonds to pay off the outstanding indebtedness of the said town.
- 6 An act to amend the charter of the Buffalo Spring Cemetery Company, Lincoln county, Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—

The 1st to the Committee on Codes of Practice; the 2d to the Committee on Banks and Insurance; the 3d to the Com-

mittee on Immigration and Labor, and the 4th to the Committee on Railroads.

And the two last named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By unanimous consent, Mr. Bradley reported a bill, entitled
An act to fix the liability of insurance companies at the amounts written in their policies,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Bradley—

Ordered, That said bill be printed, and recommitted to the Committee on Banks and Insurance.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act authorizing the Powell County Court to issue bonds in twenty thousand dollars to build a new court-house and jail ;

An act to authorize the county court of claims to levy and collect an ad valorem tax in Henry county ;

And an enrolled bill, which originated in the Senate, of the following title, viz :

An act to authorize Ignatius H. Pike, of Union county, to transact business under the same responsibilities of a man of full age :

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration an

amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Whitesville.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration, a bill, which originated in the Senate, entitled

An act defining the crime of misapplication of public moneys by county officers in this Commonwealth, and punishing persons for a violation thereof by confinement in the Penitentiary.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any officer of any county, city or town of this Commonwealth, who is by law a receiver or depositary of public money, or any clerk, or other person employed by such officer, shall fraudulently take, misapply, or convert to his own use, any money, property or other thing of value belonging to such county, city or town, that may have come into his possession, by virtue of his office or employment, or shall secrete the same with intent to take, misapply, or convert it to his own use, or shall pay or deliver the same to any person, knowing that he is not entitled to receive it, he shall be punished by confinement in the penitentiary for a term of not less than one nor more than ten years.

§ 2. If any person shall, knowingly and with fraudulent intention, receive or conceal any money or property which has been taken, misapplied, or converted by any officer or employe, as set forth in the preceding section, he shall be punished by confinement in the penitentiary for a term not less than one nor more than ten years.

§ 3. Within the term "Misapplication of public money" are included the following acts:

1. The use of any public money in the hands of such officer, for any purpose whatsoever, save that prescribed by law or directed by proper authority.

2. The willful retention in his hands of any public money for thirty days after receiving notice to pay the same over to the person entitled to receive it.

3. The willful failure of any such officer to pay over to the proper persons, at the time prescribed by law, whatever funds he may have on hand.

§ 4. This act shall take effect from its passage.

Mr. Berry proposed to amend said bill as follows, viz :

Amend by striking out section 3 of said act.

Mr. Wortham proposed to amend said bill as follows, viz :

Amend the title thereof so as to read as follows : "An act defining the crime of misapplication of public moneys by county, town and city officers in this Commonwealth, and punishing persons for a violation thereof by confinement in the Penitentiary."

On motion of Mr. Dickerson—

Ordered, That said bill and the proposed amendments thereto be recommitted to the Committee on General Statutes.

Mr. Poyntz, from the Committee on Finance, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to fix the salary of the State Treasurer,

Reported the same, with the expression of opinion that the amendment heretofore proposed by Mr. Wortham should be rejected.

(*For bill and proposed amendment, see Senate Journal, January 25, 1890.*)

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. Martin,	A. H. Stewart,
Reuben Conner,	J. H. Shearer,	J. S. Wortham—6.

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	C. B. Poyntz,
W. W. Dickerson,	D. L. May,	B. F. Reynolds,
Sam E. English,	James H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	D. W. Wright—25.
J. B. Hannah,		

Mr. Stewart proposed to amend said bill as follows, viz :

Amend by adding : "*Provided*, That this shall include all sums received as members of the Sinking Fund Commission."

Mr. Breckinridge moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Stewart to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

J. W. Martin,	A. H. Stewart,	J. S. Wortham—3.
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Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	James H. Mulligan,	Phil Roberts,
Sam E. English,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	D. W. Wright—24.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	D. W. Wright—25.
William Goebel,		

Those who voted in the negative, were—

Reuben Conner,	Phil Roberts,	A. H. Stewart,
J. W. Martin,	J. H. Shearer,	J. S. Wortham—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Anderson read and laid on the table the following joint resolution, viz :

WHEREAS, A World's Fair is to be held in 1892, the primary object of which is to exhibit America's growth and greatness ; and, whereas, the peculiar American spirit of enterprise and progress, the greatest factor in said greatness, has reached its highest and most perfect development in the "Great West ;" therefore,

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That it is the sense of the General Assembly of the Commonwealth of Kentucky, that Chicago, the Queen City of the West, is the most suitable and proper place at which to hold said World's Fair, and Kentucky's Senators and Representatives in Congress are urged to use all proper means to have said Fair held at said city.

§ 2. This resolution to take effect from its adoption.

Which, under the rule, lies one day on the table.

Mr. Dickerson read and laid on the table the following resolution, viz :

Resolved by the Senate of Kentucky, That the rules of the Senate be so amended as to create a standing Committee on Revenue and Taxation, to be composed of five members, to be appointed by the Speaker, to which committee shall be referred all bills and resolutions relating to revenue and taxation.

Which, under the rule, lies one day on the table.

The Senate, according to order, took up for consideration a bills which originated in the Senate, entitled

An act to remove the capital and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings at Hamilton Place.

Mr. Kemp moved that the further consideration of said bill be postponed, and that said bill be printed at the expense of Milton Hamilton, Esq., and made the special order of the day for Friday, February 7, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Smith moved that the further consideration of said bill be postponed, and that said bill be made the special order of

the day for to-morrow at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken on the motion made by Mr. Kemp, it was decided in the affirmative.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Junction City, in Boyle county."

An act relating to branding logs on Big Barren river and its tributaries.

An act to enable the Fayette County Board of Supervisors to extend its session.

An act to authorize and empower the county of Shelby to refund its indebtedness, incurred by reason of its subscription to the capital stock of the Cumberland and Ohio Railroad Company.

An act to amend an act, entitled "An act to incorporate the Somerset Banking Company," approved February 13, 1888.

An act providing for the summoning and pay of jurors in the Pulaski quarterly court.

An act amending the charter of the Farmers' and Drovers' Bank of Louisville.

An act to incorporate the Kentucky Savings Bank at Louisville.

An act to incorporate the People's Bank of Owensboro.

Resolution of respect to the memory of Hon. T. J. Megibben, ex-member of the Senate and House of Representatives.

Resolution providing for the payment of two dollars and a half per day to James Coleman, janitor of water-closet.

A message, in writing, was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,

FRANKFORT, January 29, 1890.

Gentlemen of the Senate and House of Representatives :

I have the honor to transmit for your information a copy of the bond of the Treasurer of the State.

Respectfully,

S. B. BUCKNER.

The document accompanying same reads as follows, viz :

WHEREAS, Stephen G. Sharp, of the county of Fayette, has been duly elected to the office of Treasurer of the Commonwealth of Kentucky for the term of two years, from the first day of January, 1890. Now we, Stephen G. Sharp, as principal, and the other subscribers hereto, as his sureties, hereby bind ourselves jointly and severally to the Commonwealth of Kentucky, that the said Stephen G. Sharp, as Treasurer as aforesaid, shall faithfully discharge the duties of said office.

In testimony whereof the said Stephen G. Sharp, as principal, and the subscribers, as his sureties, have hereunto subscribed our respective names, the 4th day of January, 1890.

Stephen G. Sharp, J. W. Rodes, M. C. Alford, D. F. Frazee, J. W. Christian, Jas. H. Mulligan, Wm. H. Cheppu, Milton Young, S. C. Lyne, C. W. Foushee, Watts Parker, L. M. Land, John S. Phelps, J. R. Morton, J. T. Slade, O. P. Alford, A. N. Warnock, L. X. Sharp, his X mark, attest Mat Walton.

Approved January 6, 1890.

S. B. BUCKNER.

STATE OF KENTUCKY, }
FAYETTE COUNTY. } *set.*

I, Mat Walton, judge of the recorder's court of the city of Lexington, Kentucky, do certify that the within bond was signed by all of the within named parties, in my presence, and I further certify that I am personally acquainted with all of said parties, and know that they are jointly worth not less than five hundred thousand (\$500,000) dollars.

Given under my hand as judge of the recorder's court of the city of Lexington, this, the 4th day of January, 1890.

MAT WALTON,

Judge Recorder's Court of the City of Lexington.

The foregoing bond of Stephen G. Sharp, as Treasurer, is in due form as required by law.

P. W. HARDIN,

Attorney-General.

On motion of Mr. Bradley—

Ordered, That said message and accompanying document be referred to the Committee on the Judiciary.

The Senate, according to order, took up for consideration, the motion heretofore entered by Mr. Smith, to reconsider the vote by which the Senate had passed a bill, entitled

An act to fix the time when officers' resignations shall take effect,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Smith—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. English moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Stewart, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	William Lindsay,	B. F. Reynolds,
Ben F. Bradley,	J. W. Martin,	A. H. Stewart,
B. F. Cockrell,	D. L. May,	J. S. Wortham,
J. P. Huff,	James H. Mulligan,	D. W. Wright—14.
John R. Kemp,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	Chas. B. Poyntz,
R. J. Breckinridge,	J. B. Hannah,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	D. H. Smith,
Sam E. English,	John McCann,	G. Terry—16.
T. L. Glenn,		

Mr. Lindsay moved to reconsider the vote by which the Senate on yesterday referred to the Committee on Military Affairs, the message of the Governor and a communication from Mary Stewart Bunch, donating to the State of Kentucky the picture of Major Phillip N. Barbour.

And the question being taken thereon, it was decided in the affirmative.

(For message and communication, see Senate Journal of yesterday.)

On motion of Mr. Lindsay—

Ordered, That said message and the accompanying communication be referred to the Committee on Library and Public Buildings.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Peterman, from the Committee on Education—

An act for the benefit of the trustees of the Western Baptist Theological Institute, Georgetown, Scott county.

By same—

An act for the benefit of Colored Common School District No. 2, Bourbon county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to authorize Hiram Harris to conduct a public ferry across Big Sandy river, at Prestonsburg, in Floyd county.

By same—

An act to declare navigable Big Laurel creek, in Johnson and Lawrence counties.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend an act to incorporate the Henry County Trust Company, at Newcastle.

By same—

An act to incorporate the Bourbon Trust and Safety Vault Company of Paris.

By Mr. Reynolds from the Committee on Agriculture and Manufactures—

An act to authorize the county court of claims to levy an ad valorem and per capita tax in Adair county.

By Mr. Peterman, from the Committee on Education—

An act to amend an act to establish and maintain a graded

free school in the town of Harrodsburg, Kentucky, approved March 15, 1876.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees to which they had been referred, viz:

By Mr. Huff, from the Committee on Public Health—

An act to incorporate the Eclectic Medical Society of the State of Kentucky.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors in Garrard county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Anderson—

1. A bill, entitled "An act to amend an act, entitled 'An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville.'"

On motion of same—

2. A bill, entitled "An act to amend an act, entitled 'An act to prevent certain domestic animals from running at large in certain counties in this Commonwealth,'" approved May 3, 1888.

On motion of Mr. Dickerson—

3. A bill, entitled "An act to create the office of Inspector of Banks, and to provide for his appointment, and to define his powers and duties."

On motion of Mr. Breckinridge—

4. A bill to prohibit the sale of spirituous, vinous and malt liquors in Garrard county.

On motion of Mr. Pieratt—

5. A bill to declare Lower Devil's creek, in Wolfe county, Kentucky, navigable.

On motion of Mr. Bradley—

6. A bill to incorporate the town of Josephine, in Scott county.

On motion of Mr. Lunsford—

7. A bill to incorporate the Farmers' and Merchants' Bank in the city of Hopkinsville, Christian county.

On motion of Mr. Cockrell—

8. A bill to incorporate the Citizens' Vault and Trust Company of Mt. Sterling, Kentucky.

On motion of Mr. Roberts—

9. A bill for the benefit of Common School District No. 17, Madison county, Kentucky.

On motion of Mr. Hannah—

10. A bill for the benefit of White District No. 73, Lawrence county.

On motion of same—

11. A bill to amend an act, entitled "An act to provide for the reorganization, maintenance and supervising of common schools in the town of Louisa and vicinity," which became a law April 16, 1886, and amendments thereto.

On motion of Mr. English—

12. A bill to provide for the incorporation of Young Men's Christian Associations of the State of Kentucky.

On motion of same—

13. A bill to incorporate the State Executive Committee of the Young Men's Christian Associations of the State of Kentucky.

On motion of Mr. Roberts—

14. A bill to increase the pay of the Senators and Representatives of Kentucky to twelve dollars and fifty cents per day.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 2d; the Committee on Banks and

Insurance the 3d, 7th and 8th ; the Committee on Religion and Morals the 4th, 12th and 13th ; the Committee on Internal Improvements the 5th ; the Committee on Propositions and Grievances the 6th ; the Committee on Education the 9th, 10th and 11th, and the Committee on Finance the 14th.

On motion of Mr. Smith, the Senate then adjourned.

THURSDAY, JANUARY 30, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Windom and Hickman Turnpike Road in Jessamine county."

An act for the benefit of H. C. Champion, of McCracken county.

An act declaring the sheriff of Marion county to be *ex officio* railway tax collector of said county.

An act to amend the charter of the town of Olive Hill, in Carter county, changing boundary lines.

An act to incorporate the Bank of Newcastle, in Henry county.

An act to authorize the sale of the Paris and Ruddle's Mills Turnpike Road, number two, in Bourbon county.

An act to amend section 3, of chapter 97, of the General Statutes.

An act to incorporate the Lexington Charity Organization Society.

Resolution directing the auditing and payment of outstanding checks given by J. W. Tate, late Treasurer of Kentucky, not included in the settlement with the present Treasurer.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Third English Evangelical Lutheran Church, of Louisville.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the Odd Fellows' Orphanage.

2. An act to establish a board of commissioners for Owen county, and to define their duties.

3. An act to incorporate the Shady Nook and Buena Vista Society, of Shady Nook, Harrison county, Ky.

4. An act to amend section 7 of the charter of the Knob Lick and McCormick's Church Turnpike Road Company, approved April 8, 1880.

5. An act to authorize the city of Hopkinsville to issue and sell bonds to pay the present bonded debt of said city.

6. An act to amend an act, entitled "An act to incorporate the Maysville Street Railroad and Transfer Company," approved January 21, 1868.

7. An act to amend an act to incorporate the town of Drakesboro, in Muhlenberg county.

8. An act for the benefit of the East End Improvement Company.

9. An act to amend the charter of the town of Stephensport, in Breckinridge county.

10. An act to amend an act, entitled "An act incorporating the United States Mail Line Company," approved February 27, 1865.

11. An act to incorporate the Richmond Opera House Company.

12. An act to amend the charter of the Bagdad Cemetery Company, of Shelby county.

13. An act to amend an act, entitled "An act to incorporate the Limestone Mutual Fire Insurance Company, of Maysville, Kentucky."

14. An act to amend an act, entitled "An act to incorporate the Paducah and Illinois Bridge Company."

15. An act to amend an act, entitled "An act to incorporate

the Benedictine Society of St. Joseph's Church, at Covington," approved January 23, 1867.

16. An act to incorporate the Fayette Safety Vault and Trust Company.

17. An act to amend an act, entitled "An act to incorporate the Kentucky Investment Company," approved March 16, 1888.

18. An act to amend an act, entitled "An act to incorporate the Farmers' Fire Insurance Company of America," approved March 15, 1886.

19. An act regulating the punishment of offenses committed within this Commonwealth, where the punishment is now a fine or imprisonment in the county jail, or both.

20. An act to amend an act to incorporate the Theological Seminary of the Protestant Episcopal Church in the State of Kentucky, approved February 24, 1834.

21. An act to authorize the Commissioners of the Sinking Fund to make improvements in the Penitentiary at Frankfort.

22. An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company, in Fulton county."

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, to the Committee on Courts of Justice; the 2d, to the Committee on Propositions and Grievances; the 3d, 15th and 20th, to the Committee on Religion and Morals; the 4th, 8th and 11th, to the Committee on Internal Improvements; the 5th, to the Committee on the Judiciary; the 6th and 14th, to the Committee on Railroads; the 7th, 9th, 12th and 19th, to the Committee on General Statutes; the 13th, to the Committee on Finance; the 10th, to the Committee on Military Affairs; the 16th, 17th and 18th, to the Committee on Banks and Insurance; and the 21st, to the Committee on Penitentiary and House of Reform.

And the last-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills which originated in the House of Representatives of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Stewart, from the Committee on Education—

An act to amend an act, entitled “An act to provide for organizing and establishing a system of public schools in Winchester,” approved April 15, 1872.

By same—

An act for benefit of No. 2 Colored Common School District for Montgomery county.

By Mr. Shearer, from same committee—

An act to incorporate the Howard Seminary of Owensboro for Young Ladies.

By same—

An act to amend an act, entitled “An act to incorporate the Logan Female College Company,” approved March 11, 1887.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors or mixtures thereof, or any other intoxicating drink within a radius of three miles of Beech Bottom Baptist Church-house, in Clinton county.

By same—

An act for the benefit of the trustees of the M. E. Church, South, in Catlettsburg.

By Mr. Terry, from the Committee on General Statutes—

An act to repeal an act, entitled “An act requiring the court of claims of Simpson county, Kentucky, to make compensation to road overseers in said county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act incorporating the Supreme Circle National Fraternal Union.

By Mr. Anderson, from the Committee on Codes of Practice—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to provide for the assessment and collection of taxes upon distilled spirits,’” approved April 21, 1882, said amendatory act approved May 12, 1884.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of White District No. 73, Lawrence county.

By Mr. Shearer, from the same committee—

An act to amend an act, entitled “An act to establish a system of public graded schools in the city of Somerset.”

By Mr. Wortham, from the Committee on General Statutes—

An act to amend the charter of the town of Sandy Hook, in Elliott county.

By Mr. English, from the Committee on Internal Improvements—

An act making it unlawful for stock to run at large on certain turnpikes in Spencer county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the town of Josephine, in Scott county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to provide for the incorporation of Young Men’s Christian Associations of the State of Kentucky.

By same—

An act to incorporate the State Executive Committee of the Young Men’s Christian Association of the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Paul—

1. A bill, entitled ‘An act to amend an act entitled ‘An act,

to establish a system of public graded schools in the city of Somerset.' "

On motion of same—

2. A bill, entitled "An act to incorporate the Somerset Water Company."

On motion of Mr. Gates—

3. A bill to legalize certain acts of J. E. Dawson, done as deputy county court clerk of Daviess county.

On motion of same—

4. A bill to make the office of deputy county court clerk of Daviess county and county surveyor of same county, compatible.

On motion of Mr. Poyntz—

5. A bill to amend section 745 of the Civil Codes of Practice.

On motion of Mr. Breckinridge—

6. A bill to incorporate the Harrod's Run Turnpike Road Company, in Boyle county.

On motion of Mr. Lindsay—

7. A bill to regulate and define the property rights of husband and wife.

On motion of Mr. Dickerson—

8. A bill, entitled "An act to abolish the office of Trustee of the Jury Fund, and to provide for the discharge of the duties of said office."

On motion of Mr. D. H. Smith—

9. A bill to incorporate the Golden Lake Land and Improvement Company.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 3d; the Committee on General Statutes the 4th, 7th and 8th; the Committee on Codes of Practice the 5th, and the Committee on Internal Improvements the 6th and 9th.

The Senate, according to order, took up for consideration a joint resolution, entitled

Resolution concerning the World's Fair.

(For resolution, see Senate Journal of yesterday.)

Mr. Kemp proposed to amend said resolution as follows, viz :

Amend by striking out "that Chicago, the Queen City of the

West," and insert "that some city west of the Allegheny mountains."

Mr. Dickerson moved that the further consideration of said resolution and the proposed amendment thereto be postponed until Thursday, February 6, 1890.

And the question being taken thereon, it was decided in the negative.

Mr. Dickerson moved that the further consideration of said resolution, and the proposed amendment thereto, be postponed until Wednesday, February 5th, 1890.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved to reconsider the vote by which the Senate had postponed until Wednesday, February 5th, 1890, said resolution and the proposed amendment thereto.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Kemp to said resolution, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution as amended, and it was decided in the affirmative.

Mr. English, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend section 420, of the Civil Code of Practice.

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 7, chapter 81, of the General Statutes.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. English, from the Committee on Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend sections 641 and 642, of chapter 6, title 14, of the Civil Code of Practice,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 53, General Statutes, entitled "Idiots and Lunatics,"

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. English, from the Committee on Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to permit the wife to testify in certain criminal and penal cases against the husband,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, In criminal and penal cases, where the wife is the person injured, she shall be a competent witness against her husband.

§ 2. This act shall take effect from and after its passage :

Mr. Bradley proposed the following amendment to said bill as a substitute therefor, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at the institution or in the prosecution of any penal or criminal charge against a husband or wife for an assault or personal injury committed by the one upon the other, they shall be permitted to testify.

§ 2. That this act shall take effect from and after its passage.

Mr. Lindsay proposed to amend said bill as follows, viz :

Amend by adding to section 1 the words : "That in all actions and prosecutions a married woman shall be a competent witness, except as to confidential communications made by one to the other during coverture."

On motion of Mr. Dickerson—

Ordered, That said bill and the proposed amendments thereto be printed, and recommitted to the Committee on Codes of Practice.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to create the Board of State House Commissioners, and to provide for the erection and completion of the capitol, and other necessary public buildings at the seat of Government.

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, February 12, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Huff, from the Committee on Public Health, to whom was recommitted a bill, which originated in the Senate, entitled

An act to provide for the appointment of female physicians in certain institutions in this Commonwealth,

Reported the same with an amendment as a substitute therefor.

(*For bill, see Senate Journal January 15, 1890.*)

Said amendments reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That at least one of the physicians appointed by the Governor in each of the several lunatic asylums in this Commonwealth, shall be a female physician: *Provided*, That such asylums have female patients in them. Said female physicians shall possess the same qualifications, receive the same salary, and have the same rights in said asylums as male physicians.

§ 2. This act shall take effect from its passage.

On motion of Mr. Breckinridge—

Ordered, That said bill and the proposed substitute therefor, be recommitted to the Committee on Charitable Institutions.

The Senate, according to order, took up for consideration, the following resolution, viz :

Resolved, That the rules of the Senate be so amended as to create a standing Committee on Revenue and Taxation, to be composed of five members, to be appointed by the Speaker, to

which committee shall be referred all bills and resolutions relating to revenue and taxation.

Which was twice read and adopted.

The Senate, according to order, took up for consideration, a bill which originated in the Senate, entitled

An act to amend section 1, article 29, chapter 29, of General Statutes, entitled "Crimes and Punishments."

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 1, article 29, of chapter 29, of the General Statutes, entitled "Crimes and Punishments," be amended by adding thereto, and at the close thereof, the following: But if any person shall go into any church or religious assembly, any school room, or other place where persons are assembled for amusement or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into any ball-room, social party or social gathering, or to any election precinct on the day of any election, where any portion of the people of the Commonwealth are collected to vote, or to any other place where people may be assembled to perform any other public duty, or to any other public assembly, and shall have or carry concealed upon or about his person a deadly weapon other than an ordinary pocket-knife, he shall be punished by fine not less than fifty dollars nor more than two hundred dollars, and imprisoned in the county jail not less than one month nor more than six months.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Mulligan, from the Committee on Charitable Institutions, to whom was referred sundry nominations made by the Governor for appointment as Commissioners of the Kentucky Institutions for the Education of Deaf Mutes.

(*For nominations, see Senate Journal, January 23, 1890.*)

Reported the same with the expression of opinion that said nominations be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Poyntz, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act requiring the payment of all fines and forfeitures to the Trustee of the Jury Fund,

Reported the same without amendment.

On motion of Mr. Breckinridge—

Ordered, That said bill be printed and recommitted to the Committee on Finance.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to amend section 3, of article 17, of chapter 29, of the General Statutes, entitled “Crimes and Punishments,”

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Anderson—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act to declare Lower Devil’s creek, in Wolfe county, Kentucky, navigable,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Said bill was engrossed and read a third time, as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Lower Devils creek, in Wolfe County,

Kentucky, be, and the same is hereby, declared navigable from the mouth of said creek up to the forks of same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
W. F. Berry,	William Lindsay,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
Reuben Conner,	D. L. May,	Phil Roberts,
Sam E. English,	James H. Mulligan,	J. H. Shearer,
G. W. Gates,	J. W. McCain,	D. H. Smith,
T. L. Glenn,	John McCann,	A. H. Stewart,
Wm. Goebel,	Chas. Patteson,	G. Terry,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—31.
J. P. Huff,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Mulligan, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

An act to provide for completion and furnishing of the Kentucky Institution for the Education and Training of Feeble-minded Children.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, One of the charitable institutions of this State, known as the Kentucky Institution for the Education and Training of Feeble-minded Children, at Frankfort, Kentucky, was unfortunately destroyed by fire on the third day of May, 1889, and the commissioners of said institution, under the authority and duty vested in and imposed upon them by law, have caused

said building to be reconstructed, and in so doing have properly expended the insurance fund collected for the loss by fire, which fund amounted in all to twenty-seven thousand nine hundred and thirty-two dollars and seventeen cents; and, whereas, the completion of said building will necessarily require the sum of nine thousand five hundred and fifty-six dollars and forty-seven cents, in addition to said insurance money, and the necessary furniture, heating apparatus and gas fixtures will require the further sum of ten thousand five hundred dollars; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of nine thousand five hundred and fifty-six dollars and forty-seven cents be, and the same is hereby, appropriated for the completion of the building of the Kentucky Institution for the Education and Training of Feeble-Minded Children, and the further sum of ten thousand five hundred dollars is hereby appropriated for the necessary furniture, heating apparatus and gas fixtures in said institution, and the Auditor is hereby authorized and directed to draw his warrant on the Treasurer for the above-named sums, payable to the commissioners of the said institution, from time to time, in such sums as may be required by them: *Provided, however*, That they shall file with the Auditor an itemized statement, showing the purpose for which each installment drawn by them is to be applied, together with proper vouchers therefor.

§ 2. This act to take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	James H. Mulligan,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—31.
William Goebel,		

Those who voted in the negative, were—

J. J. Paul, Phil Roberts—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Hickman Building and Loan Association of Hickman, Kentucky ;

An act to incorporate the Bank of Middlesborough ;

An act for the benefit of Breck Combs, sheriff of Breathitt county ;

Resolution requiring the Secretary of State and Public Printer to furnish certain information ;

Resolution directing the joint committee on Charitable Institutions of the two Houses, to investigate the true condition of certain lunatics confined in the jails of this Commonwealth ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Columbus Bank ;

An act to incorporate the Bank of Whitesville ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the Church House of the United Baptist, at Seventy-Six, in Clinton county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be unlawful for any person or persons to sell, directly or indirectly, any spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the church house of the United Baptist, at Seventy-six, in Clinton county.

§ 2. That any person or persons, who shall sell any spirituous, vinous or malt liquors, or mixture thereof, directly or indirectly, in any quantity, except by wholesale, in good faith and the ordinary course of business, shall be fined not less than twenty nor more than one hundred dollars.

§ 3. That the county judge of Clinton county, any justice of the peace in and for said county, and the circuit court for said county shall have concurrent jurisdiction to enforce the provisions of this act.

§ 4. That this act take effect from and after its passage.

Mr. Newman proposed to amend said bill as follows, viz :

“Amend by making one mile in lieu of two miles.”

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Smith, were as follows, viz :

Those who voted in the affirmative, were—

John P. Newman,

C. B. Poyntz.—2.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	Phil. Roberts,
Reuben Conner,	D. L. May,	J. H. Shearer,
Sam E. English.	James H. Mulligan,	D. H. Smith,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	G. Terry,
William Goebel,	Chas. Patteson,	J. S. Wortham,
J. B. Hannah,	J. J. Paul,	D. W. Wright—31.
J. P. Huff,		

Ordered, That said bill be engrossed and read a third time.

Mr. Newman objected to the further reading of said bill on his day.

Mr. Huff moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Middlesborough Street Railway Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. English moved that said bill be recommitted to the Committee on Railroads.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mulligan, from the Committee on Charitable Institutions, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution relative to Feeble-minded Institute.

Reported the same without amendment.

Said resolution reads as follows, viz:

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Committees on Charitable Institutions of each House be, and are hereby, appointed a joint committee to visit the Feeble-Minded Institute and confer with the superintendent and board of commissioners, and ascertain

what legislation is necessary (if any) to promote greater usefulness of that institution.

§ 2. This resolution to take effect from its adoption.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Mulligan, from the Committee on Charitable Institutions, to whom was referred a resolution, which originated in the House of Representatives, entitled,

Resolution raising a joint committee to visit the asylums for the insane of this Commonwealth.

Reported the same without amendment.

Said resolution reads as follows, viz :

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Committees on Charitable Institutions of each House be, and are hereby, appointed a joint committee to visit the Public Lunatic Asylums of this State and confer with the superintendents and boards of commissioners and ascertain what additional legislation is needed (if any) to further promote the usefulness of these institutions, and report any and all their information connected therewith, that they may deem essential.

§ 2. This resolution to take effect from and after its adoption.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to abolish the quarterly court of Carlisle county.

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

Mr. Mulligan, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to further amend an act, entitled 'An act to amend and reduce into one the sev-

eral acts organizing and regulating the lunatic asylums of this State,''' approved March 20, 1876, approved May 12, 1884,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to further amend an act, entitled 'An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State,''' approved March 2, 1876, approved May 12, 1884, be, and the same is hereby, amended, by striking out the word "first" where it occurs in the first line of the fourth section.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Kemp, the Senate then adjourned.

FRIDAY, JANUARY 31, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution concerning the World's Fair.

That they had concurred in an amendment adopted by the Senate to an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Burksville and Northwestern Railroad Company.

That they had passed bills of the following titles, viz :

1. An act to extend the time for beginning in this State the location and construction of the West Virginia and Iron-ton Railroad Company.

2. An act to incorporate the Fort Jefferson Belt Railroad Company.

3. An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company.

4. An act to amend section 9, article 8, chapter 1534, Common School Law, of this Commonwealth.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d and 3d, to the Committee on Railroads,

And the fourth-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the Committee on General Statutes, to whom was recommitted a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled “An act for the benefit of licensed keepers of stud-horses, jacks and bulls, of this Commonwealth.

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled “An act for the benefit of licensed keepers of stud horses, jacks and bulls, of this Commonwealth,” approved February 11, 1876, be, and the same is hereby, amended by striking out the second section of said act.

§ 2. This act shall take effect from and after its passage.

Mr. Reynolds proposed the following amendment to said bill as a substitute therefor, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act for the benefit of licensed

keepers of stud horses, jacks and bulls, of this Commonwealth, approved February 11, 1876, be, and the same is hereby, amended, by adding thereto the following: *Provided*, That said keepers or owners of stud horses, jacks or bulls, shall, within sixty days after mares or cows have been served or bred, cause to be entered by the county court clerk for the county of his residence, in a book to be kept by him in his office for that purpose, the name of the keeper of the stud horse, jack or bull, the name of the owner of the mare or cow bred, the amount of the fee and when due, and the date of the services, which entry shall be from its date notice to all persons. For each entry the county clerk shall be allowed a fee of fifty cents, to be paid by said owners or keepers of stud horses, jacks or bulls.

§ 2. This act shall take effect from and after its passage.

Mr. Cockrell proposed to amend said proposed substitute as follows, viz:

“Amend by striking out 50 cents for each registration, and substitute \$1.75 for the first registration, and 10 cents for each additional registration.”

Mr. Bradley proposed the following amendment as a substitute for said bill and the pending amendments thereto, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act, entitled “An act for the benefit of licensed keepers of stud horses, jacks and bulls, of this Commonwealth,” approved February 11, 1876, be repealed.

§ 2. This act shall take effect from and after its passage.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. W. Martin,	G. Terry,
R. J. Breckinridge,	Chas. Patteson,	D. W. Wright—7.
John R. Kemp,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	J. M. Pieratt,
W. F. Berry,	William Goebel,	Ben F. Reynolds,
B. F. Cockrell,	J. B. Hannah,	Phil Roberts,
Reuben Conner,	William Lindsay,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	D. H. Smith,
Sam E. English,	John McCann,	J. S. Wortham—20.
G. W. Gates,	J. J. Paul,	

The question was then taken on adoption of the amendment proposed by Mr. Cockrell, and it was decided in the negative.

Mr. Reynolds proposed the following amendment to the substitute heretofore proposed by him to said bill, viz :

Amend by striking out "fifty," and inserting "twenty-five."

And the question being taken thereon, it was decided in the affirmative.

Mr. Hannah proposed to amend the substitute proposed by Mr. Reynolds to said bill as follows, viz :

Amend section one by providing that proceedings to foreclose the lien shall be commenced within sixty days from the birth of the get of said stud horse, jack or bull.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Reynolds, as a substitute for said bill, and it was decided in the affirmative, by the casting vote of the Lieutenant Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Dickerson and Reynolds, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. McCain,	D. H. Smith,
W. F. Berry,	John P. Newman,	G. Terry,
R. J. Breckinridge,	Chas. Patteson,	J. S. Wortham,
B. F. Cockrell,	Chas. B. Poyntz,	D. W. Wright—14.
John R. Kemp,	B. F. Reynolds,	

Those who voted in the negative, were—

Ben F. Bradley,	William Goebel,	J. M. Pieratt,
W. W. Dickerson,	J. B. Hannah,	Phil Roberts,
Sam E. English,	William Lindsay,	J. H. Shearer,
G. W. Gates,	John McCann,	A. H. Stewart—14.
T. L. Glenn,	J. J. Paul,	

Mr. Breckinridge proposed to amend said bill as follows, viz :

Amend by adding the following words to the last section :
 "the counties of Boyle, Lincoln, Garrard and Casey, are hereby exempted from the provisions of this act."

Mr. Glenn moved to lay said proposed amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	T. L. Glenn,	Phil. Roberts,
R. J. Breckinridge,	J. B. Hannah,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	D. W. Wright—11.
G. W. Gates,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	Chas. B. Poyntz,
W. F. Berry,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. McCain,	D. H. Smith,
Reuben Conner,	John McCann,	A. H. Stewart,
Sam E. English,	John P. Newman,	G. Terry,
William Goebel,	Chas. Patteson,	J. S. Wortham—20.
John R. Kemp,	J. M. Pieratt,	

Mr. Glenn proposed to amend said bill as follows, viz :

Amend by adding to said bill the following, viz: "The counties of Marshall, McCracken and Carlisle shall be exempt from the provisions of this act."

Mr. Lindsay moved the previous question.

And the question being taken "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Breckinridge to said bill, and it was decided in the negative, by the casting vote of the Lieutenant Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Breckinridge and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	B. F. Reynolds,
R. J. Breckinridge,	William Goebel,	Phil. Roberts,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
Sam E. English,	John McCann,	A. H. Stewart,
G. W. Gates,	J. M. Pieratt,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. W. McCain,	D. H. Smith,
Reuben Conner,	Jno. P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	J. S. Wortham—15.

The question was then taken on the adoption of the amendment proposed by Mr. Glenn to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. W. Martin,	J. M. Pieratt,
W. W. Dickerson,	John McCann,	J. H. Shearer,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—10.
William Goebel,		

Those who voted in negative, were—

W. H. Anderson,	J. B. Hannah,	Chas. B. Poyntz,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
Ben F. Bradley,	William Lindsay,	Phil. Roberts,
B. F. Cockrell,	J. H. Lunsford,	D. H. Smith,
Reuben Conner,	J. W. McCain,	A. H. Stewart,
Sam E. English,	John P. Newman,	G. Terry,
G. W. Gates,	J. J. Paul,	J. S. Wortham—21.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Dickerson moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	Phil Roberts,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	John P. Newman,	D. H. Smith,
B. F. Cockrell,	Chas. Patteson,	G. Terry,
Reuben Conner,	J. M. Pieratt,	J. S. Wortham—14.
Sam E. Engilsh,	Chas. B. Poyntz,	

So said bill was disagreed to.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of the trustees of the Western Baptist Theological Institute, Georgetown, Scott county ;

An act to incorporate the Bourbon Trust and Safety Vault Company, of Paris ;

An act to declare navigable Big Laurel creek, in Johnson and Lawrence counties ;

An act for the benefit of Colored Common School District No. 2, Bourbon county ;

An act to fix the salary of the State Treasurer ;

An act to authorize the county court of claims to levy an ad valorem and per capita tax in Adair county ;

An act to authorize the board of trustees of the town of Crab Orchard, Kentucky, to issue bonds to pay off the outstanding indebtedness of the said town ;

An act to amend the charter of the Buffalo Spring Cemetery Company, Lincoln county, Kentucky ;

An act to authorize Hiram Harris to conduct a public ferry across Big Sandy river, at Prestonsburg, in Floyd county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

By unanimous consent, Mr. Dickerson reported a bill, entitled

An act to regulate banks and banking in this Commonwealth.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Dickerson—

Ordered, That said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Paul read and laid on the table the following joint resolution, viz :

WHEREAS, The River and Harbor bill passed by the Congress of the United States, in 1882, contained the following important provision, to-wit : To make such survey and report as to placing locks and dams on the Cumberland river from Nashville, Tennessee, to the Cincinnati Southern Railroad, in Kentucky, as in the opinion of the Secretary of War is necessary to complete the examination and report of said river, said report to be : 1. As to the practicability of the work ; 2. Its probable cost from Nashville to the Kentucky line ; 3. The cost from the Kentucky line to the Cincinnati Southern Railroad ; 4. The cost of locking and damming so as to improve Smith's Shoals ; and, whereas, in pursuance of said provision, such survey has been completed, and the report thereon shows that said work is practicable, and that to secure slack-water navigation all the year round between Nashville, Tennessee, and the Cincinnati Southern Railroad, in Kentucky, will require \$3,202,922, said estimates being divided as follows : From Nashville, Tennessee, to the Kentucky line, \$1,987,536 ; from the Kentucky line to the Cincinnati Southern Railroad, \$1,215,386 ; the estimated cost of locking and damming Smith's Shoals to the coal fields above the Cincinnati Southern Railroad, \$875,000 ; and, whereas, Congress has approved said report, and the three several appropriations aggregating \$325,000, for the purpose of constructing locks and dams on said river, in Tennessee, above Nashville ; and, whereas, the construction of lock No. 1, at Nashville, Tennessee, is now in progress ; and, whereas, the interests of the people of Kentucky demand that said river be improved in this State, at the same time that said improvement continues in Tennessee, therefore,

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That our Senators and Representatives in Congress be requested to favor a liberal appropriation, at the present session, for the improvement of the Cumberland river in Kentucky, in addition to an appropriation for the improvement of said river in Tennessee above Nashville ; and, also, an appropriation for the improvement of Smith's Shoals to the coal fields above the Cincinnati Southern Railroad.

§ 2. This resolution to take effect from and after its passage.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Stewart moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to change the time for the examination of candidates for county superintendent.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Stewart moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Stewart asked leave to withdraw said bill from the further consideration of the Senate, which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to repeal an act, entitled “An act to provide for repairing and keeping in repair, the public roads in Lincoln county,” approved February 24, 1888.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Limestone Mutual Fire Insurance Company of Maysville, Kentucky.”

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to establish an additional voting place in Breckinridge county, at Webster Station.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker announced the appointment of Messrs. Dickerson, Cockrell, Lunsford, English and Kemp, as a Committee on Revenue and Taxation, in pursuance to the provisions of a resolution heretofore adopted by the Senate.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Breckinridge—

1. A bill to call a convention.

On motion of Mr. Pieratt—

2. A bill to repeal an act, entitled "An act to prevent the drifting and floating of saw logs down the Licking river, below Salyersville, Kentucky," approved May 7, 1886.

On motion of Mr. Pieratt—

3. A bill to permit the erection of booms at, or near, the mouth of stream tributary to the Licking river.

On motion of Mr. Dickerson—

4. A bill to regulate banks and banking in this Commonwealth.

Ordered, That the Committee on Judiciary prepare and bring in the 1st, the Committee on Internal Improvements the 2d and 3d, and the Committee on Banks and Insurance the 4th.

Mr. Lindsay moved that, out of respect to the memory of Hon. John Mason Brown, deceased, an accomplished gentleman and highly esteemed citizen of Kentucky, that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, FEBRUARY 1, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution concerning the World's Fair.

That they had passed bills of the following titles, viz :

An act for the benefit of A. C. Homes, of Fulton county.

An act to change the time of holding the criminal court in the counties of Pike, Floyd, Johnson and Lawrence, in the Sixteenth Judicial District.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The 1st was referred to the Committee on Courts of Justice,
And the last-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCain moved to reconsider the vote by which the Senate had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud horses, jacks and bulls of this Commonwealth."

Which motion was simply entered.

On motion of Mr. Shearer, leave of absence indefinitely was granted Messrs. Huff and Peterman.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, February 1, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

J. T. Allen, Kenton county.
S. M. Bernard, Jefferson county.
Martin J. Brown, Campbell county.
A. J. Campbell, Fayette county.
John W. Carter, Daviess county.
T. F. Curley, Boone county.
B. L. Davis, Johnson county.
John G. Ellis, Kenton county.
T. J. Ewing, Boyd county.
J. M. Ezell, McCracken county.
C. J. Fleming, Woodford county.
D. Howard Gayle, Owen county.
Chas. W. Grimm, Bell county.
Jonas H. Hill, Pulaski county.
Will D. Hurst, Bell county.
John P. M. Jett, Hancock county.
W. R. Jones, Ohio county.
John Kittinger, Daviess county.
M. E. Morse, Daviess county.
Bernard Nelms, Fayette county.
Henry S. Reed, Fayette county.
Joseph M. Tanner, Fayette county.
Thos. W. Thomas, Warren county.
J. C. Tye, Whitley county.
J. N. Vaughn, Wolfe county.
James T. A. Baker, Jefferson county.
Abraham Jinkins, Monroe county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, February 1, 1890 }

Gentlemen of the Senate :

In compliance with the resolution of the Senate, received at this office January 25 ult., I herewith transmit one hundred printed copies of the contract and other papers relating to the construction and leasing of the branch penitentiary at Eddyville.

Respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Penitentiary and House of Reform.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bank of Whitesville.

An act to incorporate the Columbus Bank.

Mr. Glenn offered the following resolution, viz :

WHEREAS, The House has passed a resolution under which it has agreed to visit, in a body, the Eddyville Prison ; and, whereas, it is desired by the House that the Senate do accompany said body on said tour of inspection ; therefore, be it

1. *Resolved*, That when the Senate adjourns on Thursday, the 6th inst., it shall adjourn to meet on Monday, the 10th prox., and it is further

2. *Resolved*, That all the members of the Senate, or as many as can conveniently do so, will accompany the House on the aforesaid tour of inspection.

Mr. Kemp moved to lay said resolution on the table.

And the question being taken thereon it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,
W. F. Berry,

J. H. Lunsford,
J. W. Martin,

Phil Roberts,
J. H. Shearer,

Ben F. Bradley,	J. W. McCain,	D. H. Smith,
R. J. Breckinridge,	John McCann,	A. H. Stewart,
B. F. Cockrell,	John P. Newman,	G. Terry,
Sam E. English,	Chas. Patteson,	J. S. Wortham,
John R. Kemp,	J. J. Paul,	D. W. Wright—23.
William Lindsay,	Chas. B. Poyntz,	

Those who voted in the negative, were—

T. L. Glenn,	J. B. Hannah,	B. F. Reynolds—3.
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So said resolution was rejected.

Mr. McCain read and laid on the table the following joint resolution, viz :

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, The State Librarian is hereby directed to procure and hoist over the Capitol a large flag of the United States colors, to remain hoisted during the session of the General Assembly.

2. The Auditor is directed to draw his warrant on the Treasurer in favor of the State Librarian for the cost of said flag and the services for hoisting same.

3. This resolution to take effect from and after its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act making certain practices in life insurance misdemeanors, and providing for the punishment and other remedy thereof,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Patteson, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to establish a criminal court in Marion county,

Reported the same without amendment.

On motion of Mr. Anderson,

Ordered, That said bill be printed and recommitted to the Committee on Courts of Justice.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Hugh Pryor, of Newport, Ky.,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, James Norton, a pauper idiot, duly adjudged in the Campbell Circuit Court, and T. P. Makebben appointed as his committee ; and, whereas, said committee had Hugh Pryor, of Newport, to furnish said idiot the necessaries of life, not exceeding the rate of \$6.25 per month, or \$75 per annum, and omitted to have the allowance for the year ending November 30, 1887, made by the court ; and, whereas, said committee died April 24, 1888, and said idiot June 1, 1888, and the circuit court can not now make the allowance, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Hugh Pryor, of Newport, Ky., be, and he is hereby, allowed the sum of \$112.55 for keeping James Norton, pauper idiot, from November 30, 1886, to June 1, 1888, and the Auditor will draw his warrant on the Treasurer in favor of said Pryor for said sum.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
W. F. Berry.	J. W. Martin,	Phil Roberts,
Ben F. Bradley,	J. W. McCain,	J. H. Shearer,
R. J. Breckinridge,	John McCann,	D. H. Smith,
B. F. Cockrell,	John P. Newman,	A. H. Stewart,
Sam E. English,	Chas. Patteson,	G. Terry,
T. L. Glenn,	J. J. Paul,	J. S. Wortham,
J. B. Hannah,	J. M. Pieratt,	D. W. Wright—26.
John R. Kemp,	Chas. B. Poyntz,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Poyntz, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

An act requiring any person, company or corporation running, operating or transporting sleeping cars in this Commonwealth, to pay a license therefor,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. McCain,

Ordered, That said bill be printed and recommitted to the Committee on Finance.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to regulate and define the property rights of husband and wife,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to said committee.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to prohibit any person in this Commonwealth from giving, selling or bartering cigarettes or cigarette material to any child under eighteen years of age, or to others for their use, or to induce such children to use same, and providing penalties for the violation thereof.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person or persons in this Commonwealth to give, sell or barter, either directly or indirectly, a cigarette, or cigarettes, or cigarette material, to any child under eighteen years of age, or to give, sell or barter the same to any person whomsoever with the knowledge that the same is to be given, or sold, or bartered to any such child, or children, or to persuade, advise, counsel or compel any child under said age to smoke the same.

§ 2. Any person who violates the provisions of the aforesaid section shall be guilty of a misdemeanor, and, upon conviction therefor, shall be fined not less than five nor more than twenty-five dollars, or imprisoned in the county jail not exceeding thirty days, or both be fined and imprisoned.

§ 3. This act shall take effect from and after its passage.

Mr. Roberts moved to amend said bill as follows, viz :

“That there shall be none sold in Kentucky.”

An the question being taken thereon, it decided in the negative.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled “An act to incorporate the Ohio Valley Improvement and Contract Company.”

Reported the same with an amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled “An act to incorporate the Ohio Valley Improvement and Contract Company,” be, and the same is hereby, amended as follows: The said corporation may acquire and hold any mineral and timber lands, town sites, or other real estate, and may hold, lease, mortgage, convey, improve, develop and beautify any town sites, mineral

lands or other real estate heretofore or hereafter acquired by it within the State of Kentucky.

§ 2. All deeds made by the company shall be signed and acknowledged by the president.

§ 3. This act shall take effect from and after its passage.

The amendment reported by the committee to said bill reads as follows, viz :

Amend section 1 by adding after the word "Kentucky," in the last line thereof: *Provided*, That said company shall not own at any time more than \$500,000 worth of real estate; shall not own any of said real estate more than five years, and shall, in a reasonable time, proceed to develop any real estate they may purchase.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. McCain moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
W. F. Berry,	J. W. McCain,	Phil Roberts,
Ben F. Bradley,	John McCann,	J. H. Shearer,
B. F. Cockrell,	John P. Newman,	D. H. Smith,
Sam E. English,	Chas. Patteson,	A. H. Stewart,
T. L. Glenn,	J. J. Paul,	G. Terry,
J. B. Hannah,	J. M. Pieratt,	J. S. Wortham,
John R. Kemp,	Chas. B. Poyntz,	D. W. Wright—25.
William Lindsay,		

In the negative—R. J. Breckinridge—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and resolu-

tions, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act to incorporate the Henry County Trust Company, at New Castle ;

An act to prohibit the sale of spirituous, vinous or malt liquors, or mixtures thereof, or any other intoxicating drink, within a radius of three miles of the Beech Bottom Baptist Church-house, in Clinton county ;

An act to incorporate the Third English Evangelical Lutheran church of Louisville ;

An act for the benefit of the trustees of the M. E. Church, South, in Catlettsburg ;

An act to repeal an act, entitled "An act requiring the court of claims of Simpson county, Kentucky, to make compensation to road overseers," in said county ;

Resolution relative to Feeble Minded Institute :

Resolution raising a joint committee to visit the asylums for the insane of this Commonwealth ;

An act to amend an act, entitled "An act to incorporate the Logan Female College Company," approved March 11, 1887.

And an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Burksville and Northwestern Railroad Company ;

Resolution concerning the World's Fair ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to provide for the

sale and conveyance of inchoate right to dower of married women who are confirmed lunatics.

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to provide for the sale and conveyance of the inchoate right of dower of married women who are confirmed lunatics," be amended as follows, by adding to the end of the third section of said act, the following: The court may, by decree, extinguish the potential right of dower of the wife in all the real estate owned by the husband, and the husband's deed alone may convey to any purchaser of his real estate the title thereto, free from the wife's right of dower. But before the court shall make such decree, the value of the wife's potential right of dower shall be ascertained by a commissioner in all the husband's real estate, and if the husband will convey to his wife, for life or absolutely, land of the value of her potential right of dower, as ascertained by the commissioner, such settlement by the husband and conveyance shall be in full of her potential right of dower in all the husband's real estate, and his deed alone shall thereafter pass the fee simple title to any real estate he may own. And if the court decrees an extinguishment of the wife's potential dower, as provided for in the amendment, no commissioner or committee of the wife shall be required to unite with the husband.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright moved that when the Senate adjourns that it adjourn to meet on Tuesday, February 4, 1890, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kemp and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	C. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
B. F. Cockrell,	John McCann,	D. H. Smith,
Sam E. English,	John P. Newman,	D. W. Wright—17.
T. L. Glenn,	Chas. Patteson,	

Those who voted in the negative, were—

W. F. Berry,	J. M. Pieratt,	A. H. Stewart,
J. H. Lunsford,	Phil Roberts,	G. Terry,
J. W. McCain,	J. H. Shearer,	J. S. Wortham—9.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to call a convention.

Reported the same without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Breckinridge,

Ordered, That said bill be printed and recommitted to the Committee on the Judiciary.

Leave was granted to bring in the following bills, viz :

On motion of Mr. McCann—

1. An act to amend chapter 57 of the General Statutes, title “Injury to Personal Property.”

On motion of Mr. Hannah—

2. An act to incorporate the Bank of Louisa.

On motion of Mr. Newman—

3. An act to amend the charter of the Evergreen Cemetery Company of Newport.

On motion of Mr. Kemp—

4. An act to incorporate the bank of Hickman County.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 3d ; the Committee on General Statutes the 2d, and the Committee on Banks and Insurance the 4th.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Citizens' Vault and Trust Company of Mt. Sterling.

By Mr. English, from the Committee on Internal Improvements—

An act to repeal an act, entitled “An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville,” approved May 7, 1886.

By same—

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

By same—

An act to incorporate the Harrods Run Turnpike Road Company, in Boyle county.

By Mr. Breckinridge, from the Committee on Judiciary—

An act to repeal an act, entitled “An act to better protect turnpike roads in which the State is interested,” which act was approved May 15, 1886.

By Mr. Newman, from the Committee on Courts of Justice—

An act to amend the charter of the Evergreen Cemetery Company of Newport, Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass and that the titles thereof be as aforesaid.

Bills which originated in the House of Representatives of the following titles were reported from the several committees to which they had been referred, viz:

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Paducah and Illinois Bridge Company.”

Br. Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Kentucky Investment Company,” approved March 16, 1888.

By same—

An act to amend an act, entitled “An act to incorporate the

Home and Savings Fund Company of Louisville," dated April 2, 1888.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Windom Turnpike Company."

By same—

An act to amend an act, entitled "An act to incorporate the East Hickman and Jessamine County Turnpike Company."

By same—

An act to amend section 7 of the charter of the Knob Lick and McCormack's Church Turnpike Road Company, approved April 8, 1880.

By same—

An act to amend an act, entitled "An act to incorporate the Mt. Vernon and Pisgah Turnpike Company, in Woodford county."

By same—

An act to incorporate the Richmond Opera House Company.

By Mr. Breckinridge, from the Committee on Judiciary—

An act to authorize the county court of Hart county to erect a work-house on the county farm, and to authorize the confinement of certain persons therein, and to work them on the county farm.

By Mr. Lindsay, from the same committee—

An act to authorize the city of Hopkinsville to issue and sell bonds to pay the present bonded debt of said city.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to amend an act, entitled "An act to incorporate the Mulberry and Consolation Turnpike Road Company, of Shelby county."

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Shady Nook and Beuna Vista Society of Shady Nook, Harrison county, Kentucky.

By same—

An act to amend an act, entitled "An act to incorporate the Benedictine Society of St. Joseph's Church, at Covington," approved January 23, 1867.

By same—

An act to amend an act to incorporate the Theological Seminary of the Protestant Episcopal Church, in the State of Kentucky," approved February 24, 1834.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of W. H. Brown, of Cumberland county.

By Mr. Wright, from the Committee on General Statutes—

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors in Henry county, approved April 13, 1886, and amendment thereto, approved May 7, 1886, and to further regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of town and the county court in reference to license in Henry county.

By Mr. Lindsay, from the Committee on Judiciary—

An act to incorporate the Fox Creek and Mercer County Turnpike Road Company, in Anderson county.

With amendments to the two last named bills.

Which were adopted.

Ordered, That said bills, the two last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

TUESDAY, FEBRUARY 4, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act to incorporate the Henry County Trust Company, at New Castle.

An act to repeal an act, entitled "An act requiring the court of claims of Simpson county, Kentucky, to make compensation to road overseers," in said county.

An act to amend an act, entitled "An act to incorporate the Logan Female College Company," approved March 11, 1887.

An act to incorporate the Third Evangelical Lutheran Church, of Louisville.

An act for the benefit of the trustees of the Methodist Episcopal Church, South, in Catlettsburg.

An act to incorporate the Hickman Building and Loan Association, of Hickman, Kentucky.

An act for the benefit of Breck Combs, sheriff of Breathitt county.

An act for the benefit of the trustees of the Western Baptist Theological Institute, Georgetown, Scott county.

An act to incorporate the Bank of Middlesborough.

An act authorizing the Powell county court to issue bonds in twenty thousand dollars, to build a new court house and jail.

An act to authorize the county court of claims to levy and collect an ad valorem tax in Henry county.

An act to amend the charter of the Buffalo Spring Cemetery Company, Lincoln county, Kentucky.

An act to authorize the county court of claims to levy an ad valorem and per capita tax in Adair county.

An act to fix the salary of the State Treasurer.

An act for the benefit of common school district No. 2, in Bourbon county.

An act to incorporate the Bourbon Trust and Safety Vault Company, of Paris.

An act to declare navigable Big Laurel Creek, in Johnson and Lawrence counties.

Resolution raising a joint committee to visit the asylums for the insane of this Commonwealth.

Resolution relative to Feeble-Minded Institute.

Resolution directing the joint committee on Charitable Institutions of the two Houses to investigate the true condition of certain lunatics confined in the jails of this Commonwealth.

Resolution requiring the Secretary of State and Public Printer to furnish certain information.

That they had refused to grant the request of the Senate to withdraw the announcement of the passage by the Senate of bills, which originated in the Senate, of the following titles, viz :

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw logs down the Licking river, beyond Salyersville," approved May 7, 1886.

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

That they had concurred in amendments adopted by the Senate to bills and a joint resolution which originated in the House of Representatives of the following titles, viz :

An act to amend an act to establish and maintain a graded free school in the town of Harrodsburg, Kentucky, approved March 15, 1876.

An act to incorporate the town of Centertown, in Ohio county.

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors in Henry county, approved April 13, 1886, and amendment thereto approved May 7, 1886, and to further regulate and make uniform the license and sale of spirituous, vinous and malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county.

An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company."

Resolution authorizing the Auditor and the Treasurer to sell

old coins now in the Treasurer's office and credit the same to the Tate defalcation.

That they had passed bills which originated in the Senate of the following titles, viz :

An act incorporating the Supreme Circle National Fraternal Union.

An act to incorporate the Citizens' Bank of Bloomfield.

An act to amend an act, entitled "An act to organize, supervise and maintain a common school in common school district No. 49, on John's creek, in Pike county," approved April 13, 1886.

An act to amend an act to incorporate Bethel High School, located in Christian county, Kentucky, approved March 9, 1854.

An act to incorporate the Peoples' Savings Bank and Trust Company, of Newport, Campbell county, Kentucky.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act to amend the charter of the Henderson State Line Railroad Company, approved April 12, 1888.

2. An act to change the boundary line of Lee and Owsley counties.

3. An act to provide for a registration of voters in the city of Covington.

4. An act to incorporate the North Kentucky Summer Institute at Cynthiana.

5. An act to change the time for the examination of candidates for county superintendent.

6. An act directing the county school superintendent of Robertson county to pay to Mrs. E. G. Dotson certain money due her as public school teacher in said county.

7. An act to ascertain, mark and define the boundary line between the counties of Allen and Warren.

8. An act to incorporate the Clark County Agricultural Association.

9. An act to incorporate the Winchester Female College.

10. An act to incorporate the Bank of Cumberland.

11. An act for the benefit of Jacob Nall, of Webster county.

12. An act to amend an act to incorporate the town of Fancy Farm, in Graves county, Kentucky, approved April 1, 1880.

13. An act to incorporate the Three States Banking Company.

14. An act for the benefit of Colored Common School District No. 16, Todd county.

15. An act for the benefit of G. W. Wilcox, sheriff of McCracken county, allowing him to execute bond in the month of February, 1890, for the collection of the revenue, and also to execute his official bond as sheriff.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, to the Committee on Railroads; the 2d, to the Committee on Propositions and Grievances; the 3d, to the Committee on Courts of Justice; the 4th, 5th, 6th, 9th, 11th and 14th, to the Committee on Education; the 7th, to the Committee on General Statutes; the 8th, to the Committee on Agriculture and Manufactures; the 10th and 13th, to the Committee on Banks and Insurance; the 12th to the Committee on Internal Improvements.

And the last-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to amend an act to incorporate the now existing Louisville Gas Company, and grant it a new charter, approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity.

Reported the same without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act regulating practice in civil cases "

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Darby—

Ordered, That said bill be printed, and recommitted to the Codes of Practice.

Mr. McCain, from the Committee on Penitentiary and House of Reform, to whom was referred leave to bring in a bill, entitled

An act providing for the employment of the convicts of the Penitentiary in the construction of turnpikes in certain counties in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Darby—

Ordered, That said bill be printed, and recommitted to the Committee on Penitentiary and House of Reform.

Mr. Reynolds was appointed a committee to withdraw from the House of Representatives the announcement of the passage, by the Senate, of bills which originated in the Senate, of the following titles, viz :

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw logs down the Licking river beyond Salyersville," approved May 7, 1886.

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

After a short time Mr. Reynolds, reported that the House

of Representatives had refused to accede to said request and return said bills.

A message was received from the House of Representatives asking the appointment of a committee, on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to authorize the board of trustees of the town of Crab Orchard, Kentucky, to issue bonds to pay off the outstanding indebtedness of the said town.

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Savings Bank, of Lewisport,

Reported the same with an amendment,

Which was adopted.

Mr. Breckinridge proposed an amendment to said bill.

And the question being taken on the adoption of said amendment, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Mrs. J. A. Deiner,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Jos. A. Deiner, of the county of Mason, State of Kentucky, did, on the first day of October, 1889, pay to the Trustee of the Jury Fund, for coffee-house license, for the period of one year, the sum of one hundred and fifty dollars (\$150); and, whereas, the said Jos. A. Deiner died on the 9th day of

December, 1889; and, whereas, the widow of said Deiner, in order to provide support for herself and children, desiring to continue the same business at the same place, was compelled to take out license in her own name, from the date of her husband's death; therefore,

1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, instructed to draw his warrant on the Treasurer in favor of Mrs. J. A. Deiner, for the sum of one hundred and twenty-one dollars (\$121).

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

W. H. Anderson,	R. G. Hays,	J. M. Pieratt,
W. F. Berry,	J. B. Hannah,	Chas. B. Poyntz,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	D. H. Smith,
B. F. Cockrell,	J. W. McCain,	A. H. Stewart,
F. W. Darby,	John McCann,	G. Terry,
Sam E. English,	Chas. Patteson,	D. W. Wright—23.
T. L. Glenn,	A. L. Peterman,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz:

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Anderson County Safety Vault and Trust Company.

By same—

An act to amend an act, entitled "An act to incorporate the Farmers' Fire Insurance Company of America," approved March 15, 1886.

By Mr. Hays, from the same committee—

An act to incorporate the Three States Banking and Trust Company.

By Mr. Lindsay, from the same committee—

An act to amend the charter of the Owensboro Safety Vault and Trust Company.

By same—

An act to incorporate the Williamsburg Banking Company.

With amendments to the two last-named bills,

Which were adopted.

Ordered, That said bills, the two last as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' and Merchants's Bank in the city of Hopkinsville, Christian county.

By Same—

An act to incorporate the Louisville Dime Savings Company.

By same—

An act to amend the charter of the Shelby County Trust Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills :

On motion of Mr. Berry—

1. A bill to amend an act, entitled "An act to repeal the charter of the town of Uniontown, and to re-incorporate the same," approved April 28, 1884.

On motion of Mr. Paul—

2. A bill, entitled "An act to incorporate the 'Coal and Iron Bank,' of Middlesborough, Kentucky."

Same—

3. A bill, entitled “An act to incorporate the Middlesborough Water Co.”

On motion of Mr. D. H. Smith—

4. A bill to prevent the keeping of bawdy houses in this Commonwealth.

On motion of Mr. Lindsay—

5. A bill to incorporate the Jones’ Mill and Rocky Branch Turnpike Company.

On motion of Mr. Cockrell—

6. A bill to incorporate the Cannon Creek and Mining and Lumber Company.

On motion of Mr. Peterman—

7. A bill, entitled “An act to cheapen and regulate the prices of text-books used in the common schools of the Commonwealth.”

On motion of Mr. Glenn—

8. A bill, entitled “An act to incorporate the Grand Division of Eureka Benevolent Society of Kentucky.”

On motion of Mr. Shearer—

9. A bill to amend the charter of the Cincinnati, Alabama & Atlantic Railroad Company.

On motion of Mr. Anderson—

10. A bill, entitled “An act to amend and reduce into one the several acts in relation to the Shelby county court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads.”

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Banks and Insurance the 2d and 6th; the Committee on Propositions and Grievances the 3d; the Committee on the Judiciary the 4th and 5th; the Committee on Education the 7th; the Committee on Charitable Institutions the 8th; the Committee on Railroads the 9th; and the Committee on General Statutes the 10th.

Mr. Wright read and laid on the table the following joint resolution, viz:

1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That when the General Assembly adjourns

on February 5, 1890, that it shall meet again on February 11, 1890, at 11 o'clock A. M.

2. This resolution to take effect from and after its passage.

Which, under the rule, lies one day on the table.

Mr. Hays moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	R. G. Hays,	A. L. Peterman,
B. F. Cockrell,	J. B. Hannah,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	John McCann,	D. W. Wright—14.
T. L. Glenn,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
W. F. Berry,	D. L. May,	J. H. Shearer,
Ben F. Bradley,	J. W. McCain,	D. H. Smith,
John R. Kemp,	Chas. Patteson,	A. H. Stewart—12.

On motion of Mr. May, leave of absence, indefinitely, was granted Mr. Mulligan.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Shady Nook and Beuna Vista Society of Shady Nook, Harrison county, Kentucky ;

An act to repeal an act, entitled "An act to provide for repairing and keeping in repair the public roads in Lincoln county," approved February 24, 1888 ;

An act to amend section 7 of the charter of the Knob Lick and McCormack's Church Turnpike Road Company," approved April 8, 1880 ;

An act to incorporate the Howard Seminary of Owensboro for young ladies ;

An act to authorize the city of Hopkinsville to issue and sell bonds to pay the present bonded debt of said city ;

An act to authorize the county court of Hart county to erect a work-house on the county farm, and to authorize the confinement of certain persons therein, and to work them on the county farm ;

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors in Henry county, approved April 13, 1886, and amendment thereto, approved May 7, 1886, to further regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county ;

An act to amend an act, entitled "An act to incorporate the East Hickman and Jessamine County Turnpike Company ;"

An act to amend an act, entitled "An act to incorporate the Windom Turnpike Company ;"

An act to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1872 ;

An act to amend an act, entitled "An act to incorporate the Home and Savings Fund Company of Louisville," dated April 2, 1888 ;

An act to amend an act, entitled "An act to incorporate the Limestone Mutual Fire Insurance Company, of Maysville, Kentucky ;"

An act to amend an act, entitled "An act to incorporate the Paducah and Illinois Bridge Company ;"

An act to change the time of holding the criminal court in the counties of Pike, Floyd, Johnson and Lawrence, in the Sixteenth Judicial District.

An act to amend section 9, article 8, chapter 1534, common school laws of this Commonwealth ;

An act to amend an act, entitled "An act to incorporate the Benedictine Society of St. Joseph's Church, at Covington," approved January 23, 1867 ;

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company, in Fulton county ;"

An act to establish an additional voting place in Breckinridge county, at Webster Station.

An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company ;"

Resolution authorizing the Auditor and the Treasurer to sell old coins now in the Treasurer's office, and credit the same to the Tate defalcation ;

And found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Kemp moved that the Senate do now a adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	Chas. Patteson,	J. H. Shearer,
John R. Kemp,	J. M. Pieratt,	A. H. Stewart—8.
J. H. Lunsford,	B. F. Reynolds,	

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	John McCann,
B. F. Cockrell,	William Lindsay,	A. L. Peterman,
Sam E. English,	D. L. May,	C. B. Poyntz,
T. L. Glenn,	J. W. McCain,	G. Terry—13.
R. G. Hays,		

Mr. May moved to reconsider the vote by which the Senate had refused to suspend the rules to take up for consideration a resolution, entitled

Resolution providing that when the General Assembly adjourns on February 5, 1890, that it shall meet again on February 11, 1890, at 11 o'clock, A. M.

Mr. Breckinridge moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	D. H. Smith.
W. F. Berry,	J. W. Martin,	A. H. Stewart,
Ben F. Bradley,	B. F. Reynolds,	G. Terry—11.
John R. Kemp,	J. H. Shearer,	

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	J. M. Pieratt,
Sam E. English,	J. W. McCain,	Chas. B. Poyntz,
T. L. Glenn,	John McCann,	D. W. Wright—17.
R. G. Hays,	Chas. Patteson,	

Mr. Berry moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
Ben F. Bradley,	J. W. Martin,	D. H. Smith—9.

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	J. M. Pieratt,
Sam E. English,	J. W. McCain,	Chas. B. Poyntz,
T. L. Glenn,	John McCann,	G. Terry,
R. G. Hays,	Chas. Patteson,	D. W. Wright—18.

Mr. Smith moved to postpone, indefinitely, the motion made by Mr. Mays to reconsider the vote by which the Senate had refused to suspend the rules to take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
W. F. Berry,	J. W. Martin,	J. H. Shearer,
Ben F. Bradley,	J. W. McCain,	A. H. Stewart—10.
John R. Kemp,		

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
F. W. Darby,	D. L. May,	C. B. Poyntz,
Sam E. English,	John McCann,	D. H. Smith,
T. L. Glenn,	Chas. Patteson,	G. Terry,
R. G. Hays,	J. J. Paul,	D. W. Wright—18.

Mr. Peterman moved that when the Senate adjourns, it adjourn to meet Friday, February 7th, at 11 o'clock A. M.

Mr. Smith moved that when the Senate adjourns, it adjourn to meet to-morrow, at 10:45 o'clock A. M.

And the question being taken on the motion made by Mr. Peterman, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

J. B. Hannah,	A. L. Peterman,	D. W. Wright—3.
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Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. J. Paul,
W. F. Berry,	William Lindsay,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	C. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	J. H. Shearer,
F. W. Darby,	J. W. McCain,	D. H. Smith,
Sam E. English,	John McCann,	A. H. Stewart,
T. L. Glenn,	Chas. Patteson,	G. Terry—24.

Mr. Smith moved to reconsider the vote by which the Senate refused to adopt the motion made by Mr. Peterman, that when

the Senate adjourns, that it adjourn to meet on Friday, February 7th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	D. H. Smith—5.
R. J. Breckinridge,	A. L. Peterman,	

Those who voted in the negative, were—

Ben F. Bradley,	John B. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	D. L. May,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	D. W. Wright—14.
J. B. Hannah,	J. J. Paul,	

Mr. May moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	D. L. May,	B. F. Reynolds,
Ben F. Bradley,	John McCann,	J. H. Shearer,
John R. Kemp,	J. M. Pieratt,	D. H. Smith—10.
J. H. Lunsford,		

Those who voted in the negative, were—

W. H. Anderson.	J. B. Hannah,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
B. F. Cockrell,	J. W. McCain,	Chas. B. Poyntz,
F. W. Darby,	Chas. Patteson,	D. W. Wright—13.
T. L. Glenn,		

The question was then taken on the motion made by Mr. Smith that when the Senate adjourns, it adjourn to meet to-morrow, at 10:45 o'clock A. M., and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
Ben F. Bradley,	J. W. Martin,	D. W. Wright—11.
R. J. Breckinridge,	J. W. McCain,	

Those who voted in the negative, were—

F. W. Darby,	D. L. May,	A. L. Peterman,
T. L. Glenn,	John McCann,	J. M. Pieratt,
J. B. Hannah,	Chas. Patteson,	Chas. B. Poyntz,
William Lindsay,	J. J. Paul,	D. H. Smith—12.

Mr. Smith moved to reconsider the vote by which the Senate refused to adopt the motion made by him that when the Senate adjourns, it adjourn to meet to-morrow, at 10:45 o'clock A. M.

And the question being taken thereon, it was decided in the negative, a quorum of the Senate not voting thereon.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	D. H. Smith—6.

Those who voted in the negative, were—

B. F. Cockrell,	D. L. May,	A. L. Peterman,
F. W. Darby,	J. W. McCain,	J. M. Pieratt,
T. L. Glenn,	John McCann,	G. Terry,
J. B. Hannah,	J. J. Paul,	D. W. Wright—12.

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	B. F. Cockrell,	J. H. Shearer,
W. F. Berry,	John R. Kemp,	D. H. Smith,
Ben F. Bradley,	J. H. Lunsford,	D. W. Wright—11.
R. J. Breckinridge,	Ben F. Reynolds,	

Those who voted in the negative, were—

F. W. Darby,	D. L. May,	A. L. Peterman,
Sam E. English,	J. W. McCain,	J. M. Pieratt,
T. L. Glenn,	John McCann,	Chas. B. Poyntz,
J. B. Hannah,	Chas. Patteson,	G. Terry—14.
William Lindsay,	J. J. Paul,	

Mr. Smith moved to reconsider the vote by which the Senate refused to adopt the motion made by him to postpone, indefinitely, the motion made by Mr. Mays, to reconsider the vote by which the Senate had refused to suspend the rules to take up said resolution for consideration.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	D. H. Smith,
W. F. Berry,	J. H. Lunsford,	A. H. Stewart,
Ben F. Bradley,	J. W. Martin,	D. W. Wright—11.
R. J. Breckinridge,	B. F. Reynolds,	

Those who voted in the negative, were—

Sam E. English,	William Lindsay,	Chas. Patteson,
T. L. Glenn,	D. L. May,	J. M. Pieratt,
R. G. Hays,	J. W. McCain,	Chas. B. Poyntz,
J. B. Hannah,	John McCann,	G. Terry—12.

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	J. H. Shearer,
W. F. Berry,	J. W. Martin,	D. H. Smith,
Ben F. Bradley,	J. W. McCain,	A. H. Stewart,
R. J. Breckinridge,	B. F. Reynolds,	D. W. Wright—13.
John R. Kemp,		

Those who voted in the negative, were—

B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	J. M. Pieratt,
Sam E. English,	John McCann,	Chas. B. Poyntz,
T. L. Glenn,	Chas. Patteson,	G. Terry—14.
J. B. Hannah,	J. J. Paul,	

Mr. Smith moved that when the Senate adjourns, it adjourn to meet to-morrow, at 11:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
Ben F. Bradley,	J. W. Martin,	D. W. Wright—10.
R. J. Breckinridge,		

Those who voted in the negative, were—

B. F. Cockrell,	John McCann,	Chas. B. Poyntz,
T. L. Glenn,	J. J. Paul,	D. H. Smith,
J. B. Hannah,	A. L. Peterman,	A. H. Stewart,
William Lindsay,	J. M. Pieratt,	G. Terry—12.

Mr. Smith moved to reconsider the vote by which the Senate had refused to adopt his motion that when the Senate adjourns, it adjourn to meet to-morrow, at 11:30 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. J. Breckinridge,	B. F. Reynolds,
W. F. Berry,	John R. Kemp,	J. H. Shearer,
Ben F. Bradley,	J. H. Lunsford,	A. H. Stewart—9.

Those who voted in the negative, were—

B. F. Cockrell,	William Lindsay,	A. L. Peterman,
Sam E. English,	John McCann,	J. M. Pieratt,
T. L. Glenn,	Chas. Patteson,	Chas. B. Poyntz,
J. B. Hannah,	J. J. Paul,	G. Terry—12.

Mr. Patteson moved the previous question.

Mr. Smith moved that when the Senate adjourns, it adjourn to meet to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. H. Shearer,
W. F. Berry,	J. H. Lunsford,	A. H. Stewart,
Ben F. Bradley,	J. W. McCain,	D. W. Wright—11.
R. J. Breckinridge,	B. F. Reynolds,	

Those who voted in the negative, were—

B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	J. M. Pieratt,
Sam E. Engilsh,	John McCann,	C. B. Poyntz,
T. L. Glenn,	Chas. Patteson,	D. H. Smith,
J. B. Hannah,	J. J. Paul,	G. Terry—15.

Mr. Smith moved to reconsider the vote by which the Senate had refused to adopt his motion that when the Senate adjourns, it adjourn to meet to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
Ben F. Bradley,	J. W. McCain,	D. H. Smith—11.
R. J. Breckinridge,	A. L. Peterman,	

Those who voted in the negative, were—

B. F. Cockrell,	D. L. May,	J. M. Pieratt,
F. W. Darby,	Chas. Patteson,	Chas. B. Poyntz,
T. L. Glenn,	J. J. Paul,	G. Terry—10.
J. B. Hannah,		

The question was then taken on the motion made by Mr.

Smith, that when the Senate adjourns, it adjourn to meet to-morrow, at 12 o'clock M., and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	J. H. Shearer,
W. F. Berry,	J. W. McCain,	D. H. Smith,
Ben F. Bradley,	A. L. Peterman,	A. H. Stewart,
R. J. Breckinridge,	B. F. Reynolds,	D. W. Wright—13.
John R. Kemp,		

Those who voted in the negative, were—

B. F. Cockrell,	J. B. Hannah,	J. J. Paul,
F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	G. Terry—11.
T. L. Glenn,	Chas. Patteson,	

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. H. Shearer,
W. F. Berry,	J. H. Lunsford,	D. H. Smith,
Ben F. Bradley,	J. W. McCain,	A. H. Stewart,
R. J. Breckinridge,	B. F. Reynolds,	D. W. Wright—12.

Those who voted in the negative, were—

B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	J. M. Pieratt,
Sam E. English,	Chas. Patteson,	Chas. B. Poyntz,
T. L. Glenn,	J. J. Paul,	G. Terry—13.
J. B. Hannah,		

Mr. Peterman moved to reconsider the vote by which the Senate had adopted the motion made by Mr. Smith, that when the Senate adjourns, it adjourn to meet to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Smith and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	D. H. Smith,
Ben F. Bradley,	J. W. McCain,	A. H. Stewart—11.
R. J. Breckinridge,	A. L. Peterman,	

Those who voted in the negative, were—

B. F. Cockrell,	D. L. May,	Chas. B. Poyntz,
F. W. Darby,	Chas. Patteson,	J. H. Shearer,
T. L. Glenn,	J. M. Pieratt,	G. Terry—10.
J. B. Hannah,		

The question was then taken on the motion made by Mr. Smith, that when the Senate adjourns, it adjourn to meet at 12 o'clock M. to-morrow, and it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Smith and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. McCain,	A. H. Stewart,
W. F. Berry,	B. F. Reynolds,	D. W. Wright—8.
Ben F. Bradley,	J. H. Shearer,	

Those who voted in the negative, were—

R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
F. W. Darby,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	John McCann,	D. H. Smith,
J. B. Hannah,	Chas. Patteson,	G. Terry—15.

Mr. Anderson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Poyntz and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	B. F. Cockrell,	J. W. McCain,
W. F. Berry,	John R. Kemp,	Chas. Patteson,
Ben F. Bradley,	J. H. Lunsford,	J. H. Shearer,
R. J. Breckinridge,	J. W. Martin,	D. H. Smith—12.

Those who voted in the negative, were—

F. W. Darby,	D. L. May,	J. M. Pieratt,
T. L. Gleen,	John McCann,	Chas. B. Poyntz,
J. B. Hannah,	A. L. Peterman,	G. Terry—10.
William Lindsay,		

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 5, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a joint resolution and passed bills, which originated in the Senate, of the following titles, viz :

Resolution directing the State Librarian to procure and hoist a flag over the State Capitol.

An act to prohibit the sale of spirituous, malt and vinous liquors in Morgantown, Kentucky, and within half a mile of the corporate limits of said town, and to provide the punishment for selling any of said liquors.

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville," approved May 7, 1886.

An act for the benefit of S. S. Dennis, ex-sheriff of Morgan county.

That they had passed bills of the following titles, viz :

1. An act to authorize the people of Russell county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

2. An act for the benefit of the administrator of Thos. D. McCollom.

3. An act for the benefit of the Mt. Sterling Levee Turnpike

Road Company, in Montgomery county, to prevent stock from running at large on said turnpike road.

4. An act to amend the charter of the Big Stoner Turnpike Road Company.

5. An act to incorporate the Bruner's Chapel, Liberty and Cedar Grove Turnpike Company.

6. An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Monroe's chapel or church, in Barren county.

7. An act to incorporate the Hebron Church Cemetery Company.

8. An act to prevent trespassing on real estate in the county of Boone.

9. An act for the benefit of the Park's Ferry and Bethel Turnpike Road Company, Nicholas and Bath county.

10. An act to incorporate the Confederate State Association of Kentucky.

11. An act to amend an act, entitled "An act levying and imposing a tax on dogs of Boone county, and providing for its collection and appropriation to the payment of losses by the owners of sheep in said county, occasioned by dogs killing and injuring sheep."

12. An act to declare Sowder's creek, in Floyd county, a navigable stream.

13. An act to declare Caney Fork of Middle creek a navigable stream.

14. An act to incorporate the Equitable Trust and Banking Company.

15. An act to amend an act, entitled "An act to incorporate the Valley Turnpike Road Company," approved February 20, 1884.

16. An act to prevent hogs from running at large in the county of Bullitt, and to provide a penalty therefor.

17. An act to authorize the Daviess County Court to sell and convey the pauper burying-ground belonging to said county.

18. An act to declare Coffee's creek, Williams' Fork and Middle Fork of the Elk Fork navigable.

19. An act to incorporate the Kentucky Dime Savings Bank.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 6th and 7th to the Committee on Religion and Morals; the 2d to the Committee on Claims; the 3d, 4th, 9th and 15th to the Committee on Agriculture and Manufactures; the 5th and 10th to the Committee on the Judiciary; the 8th, 11th, 12th, 13th, 16th and 18th to the Committee on Propositions and Grievances; the 14th and 19th to the Committee on Banks and Insurance; and the 17th to the Committee on Courts of Justice.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Anderson, from the Committee on General Statutes—

An act to amend an act, entitled “An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville.”

By same—

An act to make the office of deputy clerk of the Daviess County Court and county surveyor of said county compatible.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to incorporate the Jones’ Mill and Rocky Branch Turnpike Company, in Franklin county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Terry, from the Committee on General Statutes—

An act to amend an act to incorporate the town of Drakesboro, in Muhlenburg county.

By same—

An act to amend the charter of the Bagdad Cemetery Company, of Shelby county.

By same—

An act to amend the charter of the town of Stephensport, in Breckinridge county.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the several acts in reference to the town of Newcastle, in Henry county.

By Mr. English, from the Committee on Internal Improvements—

An act for the benefit of the East End Improvement Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Hugh Prior, of Newport, Kentucky ;

An act to amend an act to establish and maintain a graded free school in the town of Harrodsburg, Kentucky, approved March 15, 1876 ;

An act to incorporate the Anderson County Safety Vault and Trust Company ;

An act to amend an act, entitled “To incorporate the Mt. Vernon and Pisgah Turnpike Company, in Woodford county ;”

An act for the benefit of W. H. Brown, of Cumberland county ;

An act to amend an act, entitled “An act to incorporate the Mulberry and Consolation Turnpike Road Company, of Shelby county ;”

An act to amend an act to incorporate the Theological Seminary of the Protestant Episcopal Church in the State of Kentucky, approved February 24, 1834 ;

An act for the benefit of G. W. Wilcox, sheriff of McCracken

county, allowing him to execute bond in the month of February, 1890, etc.;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act to incorporate Bethel High School, located in Christian county, Kentucky, approved March 9, 1854 ;

An act to amend an act, entitled "An act to organize, supervise and maintain a common school in Common School District No. 49, on John's creek, in Pike county," approved April 13, 1886 ;

An act incorporating the Supreme Circle National Fraternal Union.

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill giving exclusive original jurisdiction to county court judges, police courts and courts of justices of the peace, of all officers for violating any of the penal statutes of the State, when the penalty is a fine not exceeding one hundred dollars and fifty days imprisonment in the county jail, and to repeal so much of subsections 4 and 5, of section 13, and all amendments thereto, of title 2 of the Criminal Codes of Practice that comes in conflict with this act.

On motion of Mr. Stewart—

2. A bill to amend section 10, article 11, chapter 29, of the General Statutes.

On motion of Mr. Martin—

3. A bill extending and fixing the boundary of Morgantown, Ky., in Butler county.

On motion of Mr. Breekinridge—

4. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

On motion of same—

5. A bill to fix the time in which certain corporations, created by special enactment, shall organize and commence corporate business.

On motion of Mr. Martin—

6. A bill to amend an act, entitled "An act to prohibit the sale of vinous, spirituous and malt liquors in Ohio county," approved May 15, 1886.

On motion of Mr. Conner—

7. A bill to create a turnpike road district in Verona Magisterial District, of Boone county, Kentucky.

On motion of Mr. Poyntz—

8. A bill to amend subsection 3, of section 51, of the Civil Code.

On motion of Mr. McCann—

9. A bill to incorporate the North and South Railway Transfer Company, Louisville, Kentucky.

Ordered, That the Committee on Codes of Practice prepare and bring in the 1st and 8th; the Committee on General Statutes the 2d; the Committee on Propositions and Grievances the 3d and 7th; the Committee on the Judiciary the 4th and 5th; the Committee on Religion and Morals the 6th, and the Committee on Railroads the 9th.

By unanimous consent, the rules were suspended, and Mr. Glenn reported a bill, entitled

An act to provide and establish an additional voting place in the Fifth, known as the Bayou precinct, in McCracken county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Lindsay moved to reconsider the vote by which the Senate

had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Farmers' Fire Insurance Company of America," approved March 15, 1886.

Which motion was simply entered.

By unanimous consent, the rules were suspended, and the Senate took up for consideration, an amendment adopted by the House of Representatives, to a bill, which originated in the Senate, entitled

An act to incorporate the People's Savings Bank and Trust Company of Newport, Campbell county, Kentucky.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

On motion of Mr. English, Mr. Reynolds was added to the Committee on Charitable Institutions.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to repeal an act, entitled "An act to regulate change of venue in civil actions, which was approved April 9, 1880.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an act, entitled "An act to regulate change of venue in civil actions," which act was approved on the 9th day of April, 1880, be, and the same is hereby repealed.

§ 2. This act shall take effect from and after its passage.

Mr. Lindsay proposed the following amendment to said bill, viz :

Amend by striking out section 1 and inserting in lieu thereof :
"That an act to regulate change of venue in civil actions, approved April 9, 1880, be amended as follows : Counter affidavits shall not be filed on a motion for a change of venue in a civil action, but to entitle a party to such change, he shall file the affidavit of at least three creditable house-keepers of the county,

in addition to his own, stating facts show that he can not obtain a fair trial in the county in which the action is pending, because of the existence of one or more of the statutory grounds upon which such changes may be made."

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Lindsay to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
W. F. Berry,	William Lindsay,	Chas. B. Poyntz,
Ben F. Bradley,	J. H. Lunsford,	B. F. Reynolds,
R. J. Breckinridge,	J. W. McCain,	Phil Roberts,
Reuben Conner,	John McCann,	J. H. Shearer,
F. W. Darby,	John P. Newman,	D. H. Smith,
Sam E. English,	Chas. Patteson,	A. H. Stewart,
T. L. Glenn,	J. J. Paul,	D. W. Wright—25.
R. G. Hays,		

Those who voted in the negative, were—

B. F. Cockrell,	J. P. Huff,	G. Terry—4.
W. W. Dickerson,		

Resolved, That the title of said bill be amended so as to read as follows, viz :

An act to amend an act, entitled "An act to regulate change of venue in civil actions," which was approved April 9, 1880.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend section 8, of article 16, of chapter 29, of the General Statutes, entitled "Crimes and Punishments,"

Reported the same with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 3, of article 17, of chapter 29, of the General Statutes, entitled "Crimes and Punishments," be amended by adding thereto the following subsection, viz: If any person shall, while drunk or under the influence of intoxicating liquors, go to, or be at, a place where a congregation has assembled for, or are engaged in, the worship of God, or while at such place have upon his person, or in his possession, for the purpose of using the same as a beverage, any spirituous, vinous, malt or intoxicating liquors, or the mixture of either, he shall be fined not less than ten nor more than fifty dollars, or imprisonment in the jail not more than thirty days, or both, at the discretion of a jury.

§ 2. This act shall take effect from its passage.

And the question being taken on ordering said bill to a third reading, the opinion to the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was rejected.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to prevent certain domestic animals from running at large in certain counties, in this Commonwealth," approved May 3, 1888.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 15 of said act, entitled "An act to prevent certain domestic animals from running at large in certain counties in this Commonwealth," approved May 3d, 1888, be, and the same is hereby amended by adding after the word "Campbell," and before the word "only," in the last line thereof, the word "Spencer."

§ 2. This act to take effect from its passage.

Mr. Roberts moved to amend said bill as follows, viz:

By adding after the word "Spencer," in the last line of section 1, the words "and Madison."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a joint resolution, entitled

Resolution that when the General Assembly adjourns on February 5, 1890, that it shall meet again on February 11, 1890, at 10 o'clock A. M.

(For resolution, see Senate Journal of yesterday.)

Mr. Reynolds proposed the following amendment to said resolution, viz:

Amend by striking out the "5th" and inserting the "6th."

Mr. Lindsay moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	John McCann,	Phil Roberts,
T. L. Glenn,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	D. W. Wright—14.
J. P. Huff,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson,	Reuben Conner,	J. W. McCain,
W. F. Berry,	W. W. Dickerson,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	J. H. Shearer,
B. F. Cockrell,	J. W. Martin,	D. H. Smith—15.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Reuben Conner,	J. W. Martin,
W. F. Berry,	W. W. Dickerson,	B. F. Reynolds,
Ben F. Bradley,	J. P. Huff,	J. H. Shearer,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith—14.
B. F. Cockrell,	J. H. Lunsford,	

Those who voted in the negative, were—

F. W. Darby,	J. W. McCain,	A. L. Peterman,
Sam E. English,	John McCann,	Chas. B. Poyntz,
T. L. Glenn,	John P. Newman,	Phil Roberts,
R. G. Hays,	Chas. Patteson,	G. Terry,
J. B. Hannah,	J. J. Paul,	D. W. Wright—16.
William Lindsay,		

The question was then taken on the adoption of the amendment proposed by Mr. Reynolds to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	B. F. Cockrell,	B. F. Reynolds,
Ben F. Bradley,	Reuben Conner,	D. H. Smith—8.
R. J. Breckinridge,	J. W. McCain,	

Those who voted in the negative, were—

F. W. Darby,	J. P. Huff,	J. J. Paul,
Sam E. English,	William Lindsay,	C. B. Poyntz,
T. L. Glenn,	John McCann,	Phil Roberts,
R. G. Hays,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	D. W. Wright—15.

Mr. Lindsay moved the previous question.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Reuben Conner,	J. W. Martin,
W. F. Berry,	W. W. Dickerson,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	J. H. Shearer,
B. F. Cockrell,	J. H. Lunsford,	D. H. Smith—15.

Those who voted in the negative, were—

F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	J. W. McCain,	Phil Roberts,
T. L. Glenn,	John McCann,	G. Terry,
R. G. Hays,	John P. Newman,	D. W. Wright—14.
J. B. Hannah,	J. J. Paul,	

And then the Senate adjourned.

THURSDAY, FEBRUARY 6, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Owensboro Safety Vault and Trust Company.

That they had passed a bill, which originated in the Senate, entitled

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

That they had adopted a joint resolution, entitled
Resolution authorizing and directing the Auditor of Public
Accounts to place certain moneys to the credit of the State
Treasurer.

Which was referred to the Committee on Finance.

Bills of the following titles were reported from the several
committees which were directed to prepare and bring in the
same, viz :

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the
Louisville Railway Company,” approved January 22, 1867.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Hickman County Bank.

By Mr. McCann, from the Committee on Railroads—

An act to amend the charter of the Cincinnati, Alabama &
Atlantic Railroad Company.

By Mr. Conner, from the Committee on Propositions and
Grievances—

An act to create a turnpike road district in the Verona Magis-
terial District of Boone county, Kentucky, and to provide funds
for the purpose of building turnpike roads in said district.

By same—

An act to legalize the acts of J. E. Dawson, done as deputy
county court clerk of Daviess county.

By same—

An act to incorporate the Somerset Water Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to establish an In-
surance Bureau,” approved March 10, 1870.

Which bills were severally read the first time and ordered to
be read a second time.

The constitutional provision as to the second reading of said
bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said
bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be
as aforesaid.

Bills, which originated in the House of Representatives, of the

following titles were reported from the several committees to which they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to change the boundary lines of Lee and Owsley counties.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to prevent trespassing on real estate in the county of Boone.

By Same—

An act to establish a Board of Commissioners for Owen county, and to define their duties.

By same—

An act to declare navigable the Middle Fork of Rockcastle Creek, in Martin county.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Fort Jefferson Belt Railroad Company.

By Mr. McCann, from the Committee on Courts of Justice—

An act to authorize the Daviess county court to sell and convey the pauper burying-ground belonging to said county.

By Mr. Shearer, from the Committee on Education—

An act directing the county school superintendent of Robertson county to pay to Mrs. E. G. Dotson certain money due her as public school teacher in said county.

By same—

An act for the benefit of Jacob Nall, of Webster county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act levying and imposing a tax on dogs of Boone county, and providing for its collection and appropriation to the payment of losses by the owners of sheep in said county occasioned by dogs killing and injuring sheep.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dickerson, from the Committee on Codes of Practice, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to permit the wife to testify in certain criminal and penal cases against the husband,

Reported the same with an amendment thereto as a substitute therefor.

(*For bill, see Senate Journal January 30, 1890.*)

Said amendment reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That subsection "one" of section six hundred and six of the Civil Codes of Practice be stricken out and repealed, and in lieu thereof the following words are inserted as said subsection, viz : That husband and wife shall be competent witness in all causes and prosecutions, except as to confidential communications made by one to the other during coverture.

§ 2. This act shall take effect and be in force from and after its passage.

On motion of Mr. Dickerson—

Ordered, That said proposed substitute be printed, and that said bill and the proposed substitute be recommitted to the Committee on Codes of Practice.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Kemp—

1. A bill to incorporate Iron Banks Lodge No. 802, Knights of Honor, of Columbus, Kentucky.

On motion of Mr. Hays—

2. A bill amending the act establishing an Insurance Bureau.

On motion of Mr. Lindsay—

3. A bill to incorporate the American Trust and Guarantee Company.

Same—

4. A bill to amend section 10, Civil Code of Practice.

On motion of Mr. Smith—

5. A bill to legalize a certain order of the Larue county court.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st and 2d ; the Committee on the Judiciary the 3d and 5th, and the Committee on Codes of Practice the 4th.

The Senate, according to order, took up for consideration the motion, heretofore entered by Mr. Lindsay, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Farmers' Fire Insurance Company of America," approved March 15, 1886.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Lindsay—

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

The Senate, according to order, took up for consideration a resolution, entitled:

Resolution providing that when the General Assembly adjourns on February 5, 1890, that it shall meet again on February 11, 1890, at 11 o'clock A. M.

(For resolution, see Senate Journal, February 4, 1890.)

Mr. Peterman moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Breckinridge, leave of absence, indefinitely, was granted Messrs. Martin and Pieratt.

By unanimous consent, the rules were suspended, and Mr. Berry reported a bill, entitled

An act to fix the salary of Commonwealth's attorneys, and repealing so much of article 4 of the General Statutes, and the amendments thereto, and all other laws that come in conflict with this act.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commonwealth's attorneys shall

receive an annual salary of fifteen hundred dollars, payable monthly out of the Treasury, commencing from the time of his qualification under his commission, which shall be in full compensation for all services required of him, and so much of article 4, of chapter 5, of the General Statutes, and the amendments thereto, and all other statutes coming in conflict with this act, is hereby repealed.

§ 2. This act to take effect and be in force from and after its passage.

Mr. Hendricks moved to amend said bill by striking out \$1,500, and insert in lieu thereof, the words \$2,500.

On motion of Mr. Berry—

Ordered, That said bill be printed and recommitted to the Committee on General Statutes.

By unanimous consent the rules were suspended, and Mr. May reported a bill, entitled

An act to amend and continue in force an act, entitled “An act to incorporate the Deposit Bank of Elizabethtown,” approved March 12, 1870.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, the rules were suspended, and Mr. McCain, reported a bill, entitled

An act for the benefit of the Pewee Valley Hotel Company.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate Middlesborough Water Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Poyntz—

Ordered, That said bill be recommitted to the Committee on Internal Improvements, with directions to report the same on Tuesday, February 11, at 11 o'clock A. M.

By unanimous consent, the rules were suspended, and Mr. Mr. Smith reported a bill, entitled

An act to amend an act to amend an act, entitled "An act to establish a superior court, and to regulate the same," approved March 18, 1886.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the first section of an act, entitled "An act to amend an act, entitled 'An act to establish a Superior Court and to regulate the same,'" approved April 22, 1882, and which amendatory act was approved March 18th, 1886, be, and the same is hereby, amended by inserting after the figures "1890," at the end of section one, the following: "On the first Monday in August, 1890, there shall be elected by the qualified voters of this Commonwealth, three persons as judges of said court, whose term of office shall commence on the first Monday in September, 1890, and continue until the first Monday in September, 1894."

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for want of a constitutional majority.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann,
Ben F. Bradley,	John K. Hendrick,	Charles Patteson,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	Charles B. Poyntz,
W. W. Dickerson,	D. L. May,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	D. W. Wright—18.

Those who voted in the negative, were—

J. J. Paul,	D. H. Smith,	G. Terry—4.
J. H. Shearer,		

So said bill was rejected.

Mr. Smith moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act to prescribe the mode of ascertaining the value of property of companies owning bridges crossing the Ohio river, into or from the State, for taxation and for taxing the same.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That said bill be printed and recommitted to the Committee on Revenue and Taxation.

By unanimous consent, the rules were suspended, and Mr. Poyntz reported a bill, entitled

An act for the benefit of J. C. Willim, sheriff of Lewis county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith moved the following resolution, viz :

1. *Be it resolved by the Senate*, That the Auditor of Public Accounts be, and he is hereby, requested to state to the Senate, in writing, the names of the attorneys (other than the Attorney-General, regular and *pro tem*. Commonwealth attorneys), to whom any sums have been paid within the last four years for professional services rendered the Commonwealth of Kentucky, in what actions or proceedings said sums were paid for such services, and the amount paid to each attorney so engaged for his services in each action or proceeding in which he served the Commonwealth.

§ 2. This resolution shall take effect from its adoption.

Which was twice read and adopted.

Mr. Dickerson moved the following resolution, viz :

Resolved by the Senate of Kentucky, That the Senators from Nicholas and Mason counties are hereby added to the standing Committee on Penitentiary and House of Reform, for the purpose of visiting the Eddyville Penitentiary in conjunction with the standing committee from the House of Representatives and the Senate.

The rule of the Senate requiring all resolutions making changes in the regular standing rules of the Senate to lie over one day being dispensed with,

Said resolution was taken up, twice read and adopted.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled resolution and a bill, which originated in the Senate, of the following titles, viz :

Resolution concerning the World's Fair.

An act to incorporate the Burkesville and Northwestern Railroad Company.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, February 6, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

John W. Bloom, Carter county.
Albert S. Brandeis, Jefferson county.
J. S. Chapman, Adair county.
Louis G. Crawford, Jefferson county.
W. G. Duncan, Ohio county.
E. S. Ferrill, Larue county.
Charles M. Lindsay, Jefferson county.
Thomas Malone, Jefferson county.
A. L. Moseley, McLean county.
Thos. J. Nooe, Woodford county.
S. A. Russell, Marion county.
William Stephen, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution raising a joint committee to visit and investigate the condition of affairs concerning the branch penitentiary at Eddyville,

Reported the same without amendment.

Said resolution reads as follows, viz :

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Committee on Penitentiary and House Reform of the Senate, and the Committee on State Prisons of the House, be, and are hereby, appointed a joint committee to visit the Branch Penitentiary at Eddyville, and report to each respective House the condition at that institution, and report any and all information affecting said Eddyville

Prison they deem essential, with the powers and rights to send for persons and papers.

§ 2. This resolution to take effect from its adoption.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred a resolution which originated in the House of Representatives, entitled

Resolution providing for a committee to investigate the Mason-Foard Company.

Reported the same without amendment.

Said resolution reads as follows, viz :

WHEREAS, It is currently reported that the Mason & Foard Company, lessees of the labor in the State Prisons, have repeatedly violated the obligations entered into by them with the State of Kentucky ; therefore,

§ 1. *Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of seven, four from the House and three from the Senate, to be appointed by the respective Speakers thereof, shall be raised for the purpose of investigating such charges, and all other matters affecting the State's interest as involved in the contracts existing between the State and the Mason & Foard Company. That such committee shall have power to summon and compel the attendance of witnesses, the production of papers, and to employ a stenographer for properly taking and preserving testimony.

§ 2. This resolution shall take effect and be in force from and after its passage.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben. F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	D. L. May,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	D. H. Smith,
T. L. Glenn,	John McCann,	G y,
R. G. Hays,	Chas. Patteson,	D. W. Wright—2 ¹ .

In the negative—none.

Resolved, That the title of said resolution be as aforesaid.

Mr. Bradley moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Lindsay, were as follows, viz :

Those who voted in the affirmative were—

W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	J. H. Shearer,
T. L. Glenn,	Charles Patteson,	D. H. Smith,
R. G. Hays,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative were—

R. J. Breckinridge,	J. W. McCain,	Charles B. Poyntz,
W. W. Dickerson,	John McCann,	G. Terry—7.
D. L. May,		

And then the Senate adjourned.

FRIDAY, FEBRUARY 7, 1890.

The regular Speaker, Hon. J. W. Bryan, being absent, at his request Senator D. H. Smith took the chair and presided.

The reading of the Journal of yesterday was dispensed with.

On motion of Mr. Anderson, leave of absence, indefinitely, was granted Mr. Castle, the Sergeant-at-Arms.

Mr. Breckinridge moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled “An act to regulate change of venue in civil actions,” which was approved April 9, 1880.

(For bill, see Senate Journal, February 5, 1890.)

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Breckinridge proposed the following amendment to said bill, viz :

Amend by adding after the words "be made," the last word in the last line of said act, the following, viz: "And the court shall not hear additional proof, either for or against such change of venue."

Which were adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled "An act to provide for the reorganization, maintainance and supervising of common schools in the town of Louisa and the vicinity," which became a law April 16, 1886, and the amendments thereto.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act extending and fixing the boundary of Morgantown, Kentucky, in Butler county.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to prevent the keeping of bawdy houses in this Commonwealth.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to declare Sawder's Creek, in Floyd county, a navigable stream.

By same—

An act to declare Caney Fork of Middle Creek a navigable stream.

By Same—

An act to declare Coffee's Creek, Williams' Fork and Middle Fork, of Elk Fork, navigable.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Winchester Bank of Winchester.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills :

On motion of Mr. Breckinridge—

1. A bill to amend section 8, of article 6, of chapter 92, entitled "Revenue and Taxation," of the General Statutes.

On motion, the same—

2. A bill to amend section 1, article 1, chapter 92, of the General Statutes, entitled "Revenue and Taxtion."

Ordered, That the Committee on Revenue and Taxation prepare and bring in said bills.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act prescribing the duties of Fiduciaries,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Thursday, February 13th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to amend article 4, chapter 92, of the General Statutes, entitled "Revenue and Taxation,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article 4, chapter 92, of the General Statutes, entitled "Revenue and Taxation," be amended by adding thereto the following sections :

"§ 10. That in addition to the specific property of all corporations in this State, which is now the subject of taxation under the existing laws, the value of the franchise of the corporation shall be taxable, and such value shall be ascertained by the assessor of the county where said corporation shall have its chief place of business, and placed upon his books under the heading now indicated therein: *Provided, however*, That nothing herein shall be construed as applying to railroads whose lines are in existence or in course of construction at the date of said assessment, and which pay tax under the provisions of the law to which this is an amendment; nor to banks or other institutions of loan or discount, nor to the turnpike roads of this Commonwealth.

"§ 11. In order to enable the assessor to arrive at the true value of said franchise, he may examine the officers of such corpora-

tion, under oath, or such other witnesses as he may deem necessary, and, in fixing the value thereof, shall consider the net earnings of the corporation, its dividends and the market value of its stock, which, taken with the proof he may have before him, shall constitute the basis of his valuation."

§ 2. This act to take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

An act to prohibit the selling, loaning, giving or furnishing spirituous, vinous or malt liquors, or any other intoxicating drink, on election days.

On motion of Mr. Peterman—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday, February 14, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, entitled

An act to remove the capital and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings at Hamilton Place.

On motion of Mr. Bradley—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, February 12, 1890, at 12 o'clock M., and from day to day until disposed of.

Mr. May moved that when the Senate adjourns, that it adjourn to meet on Monday, February 10, 1890, at 3 o'clock P. M.

Mr. Berry proposed to amend said motion by striking out "3 o'clock P. M." and insert in lieu thereof the words "10 o'clock A. M."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. May, and it was decided in the affirmative.

And then the Senate adjourned.

MONDAY FEBRUARY 10, 1890.

The reading of the Journal of Friday was dispensed with.

Mr. Kemp, from the Committee on Enrollments, reported that the committee had examined enrolled resolutions, which originated in the House of Representatives, of the following titles, viz :

Resolution providing for a committee to investigate the Mason & Foard Company ;

Resolution raising a joint committee to visit and investigate the condition of affairs concerning the branch penitentiary at Eddyville;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Citizens' Bank of Bloomfield ;

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw-logs down the Licking river, below Salyersville," approved May 7, 1886;

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river;

Resolution directing the State Librarian to procure and hoist a flag over the State Capitol.

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Kemp reported that the committee had performed that duty.

Mr. Stewart, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Winchester Female College,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to amend the charter of the Mechanics' Savings Bank and Trust Company, approved May 3, 1888,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stewart, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to establish and maintain the Eastern Kentucky State Normal School,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Stewart—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed, and recommitted to the Committee on Education.

Mr. Kemp, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend section 3, of article 7, of chapter 92, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Newman—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed, and recommitted to the Committee on Revenue and Taxation.

Mr. Stewart, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to reduce the cost of and to secure uniformity in the text books used in the common schools in this Commonwealth,

Reported the same, without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Stewart—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed, and recommitted to the Committee on Education.

Mr. Poyntz, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

An act regulating the sale of vinegar,

Reported the same, without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Poyntz—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Agriculture and Manufactures.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Stewart—

1. A bill to amend an act, entitled “An act for the benefit of certain men who belong to the State troops,” approved March 11, 1867.

On motion of Mr. English—

2. A bill concerning the removal of dead animals from the public highways and chartered roads in Jefferson county.

Same—

3. A bill to amend the charter of the German Savings and Homestead Fund Company.

On motion of Mr. Kemp—

4. A bill to amend section 18, of article 6, and section 3, of article 7, of chapter 92, General Statutes.

On motion of Mr. Bradley—

5. A bill to amend an act to amend and reduce into one the several acts concerning the town of Georgetown, approved March 6, 1880.

On motion of Mr. Poyntz—

6. A bill regulating the sale of vinegar.

On motion of Mr. Wortham—

7. A bill in regard to the reports of the decisions of the Court of Appeals.

Same—

8. A bill to repeal an act, entitled “An act to incorporate the town of Clarkson, in Grayson county,” approved May 1, 1888.

On motion of Mr. Hendrick—

9. A bill to amend chapter 17, section 1, of the General Statutes.

On motion of Mr. May—

10. A bill to amend section 32, article 1, chapter 9, of the General Statutes, so far as the same applies to Hardin county.

Ordered, That the Committee on Military Affairs prepare and bring in the 1st ; the Committee on Internal Improvements the 2d ; the Committee on Banks and Insurance the 3d ; the Committee on Revenue and Taxation the 4th ; the Committee on Propositions and Grievances the 5th and 8th ; the Committee on Agriculture and Manufactures the 6th ; the Committee on the Judiciary the 7th, and the Committee on General Statutes the 9th and 10th.

On motion of Mr. Newman, the Senate then adjourned.

TUESDAY, FEBRUARY 11, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bank of Josephine, of Prestonsburg, Kentucky.

An act to amend an act, entitled "An act to authorize the court of levy and claims of Menefee county to levy an ad valorem tax for county purposes," approved March 24, 1888.

An act to incorporate the town of Maytown, Morgan county.

An act to amend an act relating to the incorporation of the town of Prestonsburg, Floyd county, approved March 18, 1878.

An act to authorize the city of Dayton, in Campbell county, to issue bonds and refund her present indebtedness.

An act to amend the charter of the town of Sandy Hook, in Elliott county.

An act to incorporate the town of Josephine, in Scott county.

An act to incorporate the Taylor Bank of Campbellsville.

An act to amend an act, entitled "An act to incorporate the Bank of Campbellsville."

With amendments to the two last-named bills.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to authorize the Secretary of State to furnish the county of Leslie with the Reports of the Court of Appeals and Acts of the General Assembly.

That they had passed bills of the following titles, viz :

1. An act to create the office of stenographer of the Seventeenth Judicial District.

2. An act to legalize the leasing of certain turnpike roads in Gallatin county.

3. An act to amend the charter of the Three Forks Deposit Bank of Beattyville, Kentucky.

4. An act to incorporate the Deposit Bank of Beaver Dam, Kentucky.

5. An act to amend an act, entitled "An act to incorporate the Larue County Deposit Bank," approved February 16, 1888.

6. An act regulating and defining the terms of justices courts in McCracken county.

7. An act to repeal an act, entitled "An act to provide additional salary for the circuit court judge of the Tenth Judicial District," approved May 17, 1886.

8. An act to amend the charter of the Northern Bank of Kentucky.

9. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the charter of the town of Owingsville, Bath county, Kentucky."

10. An act to amend an act, entitled "An act to incorporate the Bank of Murray, Calloway county.

11. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

12. An act to incorporate the Dime Savings Bank of Owensboro.

13. An act to amend an act incorporating the town of Pleasureville, in Henry county.

14. An act to change and make legal the spelling of the name Daviess, of Daviess county.

15. An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same," approved May 18, 1886.

16. An act to incorporate the Greensburg Deposit Bank.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 6th and 7th to the Committee on Courts of Justice: the 2d, 9th and 14th to the Committee on Propositions and Grievances; the 3d, 4th, 5th, 8th, 10th, 12th and 16th to the Committee on Banks and Insurance; the 11th and 13th to the Committee on General Statutes, and the 15th to the Committee on the Judiciary.

Mr. McCain moved that the rules be suspended, and that a committee be appointed on the part of the Senate, to act in con-

junction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors in Henry county, approved April 13, 1886, and amendment thereto, approved May 7, 1886, and to further regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in Henry county," approved April 13, 1886, and the amendment thereto, approved May 7, 1886, be, and the same is hereby, repealed.

§ 2. That cities and towns in Henry county that are authorized, by their charter, to license the sale of spirituous, vinous or malt liquors, may do so without any reference to the county court, upon the presentation to the board of trustees, a receipt from the county court clerk, showing that the applicant has paid to him (the clerk) the tax due the State required by law.

§ 3. That when the applicant resides outside of a city or town, or in a town not authorized by its charter to grant license to sell spirituous, vinous or malt liquors, then, in that event, the county court is vested with authority to grant license, without reference to any town regulation.

§ 4. That, as this act is to regulate and make uniform the license and sale of spirituous, vinous or malt liquors in Henry county, all laws, general or special, heretofore enacted, whether for districts, precincts or county, repugnant to, or inconsistent herewith, be, and the same are hereby, repealed: *Provided, however*, This act shall not repeal, as to Henry county, the general law of the State in regard to the unlawful sale of spirituous, vinous and malt liquors, and penalty prescribed against same, and shall not repeal the general law known as the local option law, approved February 23, 1874.

§ 5. That this act shall be in force and take effect from its passage.

Mr. Dickerson objected thereto, so said motion was not put.

Mr. Anderson, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend section 10 of the Civil Code of Practice,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 10 of the Civil Code of Practice be, and the same is hereby, amended as follows : The court may, in its discretion, on motion of either party, or without motion, order the transfer of an action from the ordinary to the equity docket, or from a court of purely common law to a court of purely equity jurisdiction whenever the court before which the action is pending shall be of the opinion that such transfer is necessary, because of the peculiar questions involved, or because the case involves accounts so complicated, or such great detail of facts as to render it impracticable for a jury to intelligently try the case.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. McCain moved that the rules be suspended, and that a committee be appointed on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, of the following title, viz :

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors, in Henry county, approved April 13, 1886, and amendment thereto, approved May 7, 1886, and to regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county.

And the question being taken thereon, it was decided in the negative, a quorum of the Senate not voting thereon.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. W. McCain,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
Sam E. English,	John R. Kemp,	Phil Roberts,
T. L. Glenn,	J. H. Lunsford,	J. H. Shearer,
R. G. Hays,	J. W. Martin,	J. S. Wortham—16.
J. B. Hannah,		

Those who voted in the negative, were—

R. J. Breckinridge, Reuben Conner, A. H. Stewart—3.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend section 10 of the Civil Code of Practice.

And the question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Hendrick and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
W. F. Berry,	J. B. Hannah,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	J. P. Huff,	Chas. B. Poyntz,
Reuben Conner,	John R. Kemp,	J. H. Shearer,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
Sam E. English,	D. L. May,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—25.
William Goebel,		

In the negative—Phil Roberts—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in the following bills, viz :

An act to prevent any servant or employe in the service of the Superintendent of the Louisville Work-house interfering in procuring the release or discharge of any prisoner confined therein, without the consent of the Superintendent, and to fix a penalty therefor.

An act repealing an act amending the charter of the Farmers, and Drovers' Bank of Louisville, approved January 28, 1890.

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank," approved February 18, 1869, and the several acts amendatory thereto.

Reported the same, with the expression of opinion that said bills ought to pass.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Huff, from the Committee on Religion and Morals, to whom was referred bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the people of Russell county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

An act to prohibit the sale of spirituous, vinous and malt liquors within two miles of Monroe's chapel or church, in Barren county.

An act to incorporate the Hebron Church Cemetery Company.

Reported the same, without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills:

On motion of Mr. Wortham—

1. A bill to declare Rock Lick Creek, in Breckinridge county, a navigable stream.

On motion of Mr. Hays—

2. A bill to enlarge the boundary line of the city of Winchester, in Clark county.

By same—

3. A bill to regulate employes in the Louisville city work-house.

On motion of Mr. Huff—

4. A bill to amend an act, entitled "An act to establish a State Board of Pharmacy ; defining its duties and powers, and to regulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 18, 1880.

On motion of Mr. McCann—

5. A bill to incorporate the Cumberland Improvement Company.

On motion of Mr. Lindsay—

6. A bill concerning the stock in the Bank of Louisville held by the Commissioners of the Sinking Fund of the Commonwealth of Kentucky.

On motion of Mr. Glenn—

7. A bill to provide for the trial and care of insane convicts.

On motion of Mr. Hays—

8. A bill repealing an act amending the charter of the Farmers' and Drovers' Bank of Louisville, approved January 28, 1890.

On motion of Mr. Glenn—

9. A bill to amend the charter of the Paducah and Clark's River Gravel Road Company.

By same—

10. A bill to facilitate the settlement and final adjustment of the estates of decedents.

By same—

11. A bill to incorporate the Kentucky Soldiers' Home.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 9th ; the Committee on Banks and Insurance, the 2d, 3d, 6th and 8th ; the Committee on Public Health, the 4th ; the Committee on Courts of Justice, the 5th and 11th, and the Committee on General Statutes, the 7th and 10th.

By unanimous consent, the rules were suspended, and the Senate took up for consideration the motion heretofore entered by Mr. Smith, to reconsider the vote by which the Senate had rejected a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to establish a Superior Court and to regulate the same,' " approved March 18, 1886.

(*For bill, see Senate Journal, February 6th.*)

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
Ben F. Bradley,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
Reuben Conner,	J. P. Huff,	A. L. Peterman,
W. W. Dickerson,	John R. Kemp,	Chas. B. Poyntz,
Sam E. English,	William Lindsay,	D. H. Smith,
T. L. Glenn,	J. H. Lunsford,	J. S. Wortham--23.
Wm. Goebel,	D. L. May,	

Those who voted in the negative, were—

J. J. Paul,	J. H. Shearer,	A. H. Stewart--4.
Phil Roberts,		

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled
An act to incorporate the Farmers' Savings Bank of Lewisport.

The question pending being upon the amendment proposed by Mr. Breckinridge to said bill,

By unanimous consent, Mr. Breckinridge withdrew said amendment from the further consideration of the Senate.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn read and laid on the table the following joint resolution, viz:

WHEREAS, This General Assembly has heard with regret and unfeigned sorrow of the sad accident, by fire, in the city of Washington on the 4th instant, by which Hon. B. F. Tracy, Secretary of the Navy, in the burning of his residence, was bereaved of his wife and daughter, and himself and other members of his family brought near to death's door; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That we do hereby tender to Hon. Benjamin F. Tracy our heartfelt sympathy in his great affliction.

And be further resolved, 2. That a copy of this resolution, attested by the Speakers and Clerks of both Houses, be forwarded by the Clerk of the Senate to the said Hon. B. F. Tracy.

3. This resolution to take effect from and after its passage.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to authorize the board of trustees of the town of Crab Orchard, Kentucky, to issue bonds to pay off the outstanding indebtedness of the said town;

An act to incorporate the town of Centertown, in Ohio county;

An act to amend the charter of the Owensboro Safety Vault and Trust Company;

An act to incorporate the Richmond Opera-house Company;

An act for the benefit of Mrs. J. A. Deiner;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the People's Saving Bank and Trust Company of Newport, Campbell county;

An act for the benefit of S. S. Dennis, ex-sheriff of Morgan county;

An act to prohibit the sale of spirituous, malt and vinous liquors, in Morgantown, Kentucky, and within a half a mile of the corporate limits of said town, and to provide the punishment for selling any of said liquors;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 17, section 1, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That chapter 17, section 1, of the General Statutes, be, and the same is hereby, amended, by adding after the words, the "United States," in the third line of said section the following words: "Or in any foreign country."

§ 2. This act shall take effect from its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, This General Assembly has learned with regret that since the adjournment of the last session of the Legislature "the Great Law-giver" of the Universe, has taken from the busy walks of life the Hon. Joseph M. Bigger, ex-Speaker of the House of Representatives of Kentucky; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That in the death of Hon. Joseph M. Bigger Kentucky has lost one of her most eminent statesman; the judiciary and bar one of their most profound jurists; society one of its most exemplary and brightest ornaments, and his noble wife a most devoted husband.

And be it further resolved, 2. That we extend to the family the deceased our sincere and heartfelt sympathy, and that the Clerks of both Houses send an attested copy of these resolutions to the family of the distinguished dead, and that, as a further token of respect, this body do now adjourn.

3. This resolution to take effect from its passage.

The rule of the Senate requiring a joint resolution to lie on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 12, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Fox Creek and Mercer County Turnpike Road Company, in Anderson county.

That they had concurred in the adoption of a joint resolution and passed bills, which originated in the Senate, entitled

Resolution requesting our Senators and Representatives in Congress to favor an appropriation for the improvement of the Cumberland and Tennessee rivers.

An act extending and fixing the boundary of Morgantown, Kentucky, in Bulter county.

An act to amend an act, entitled "An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville.

An act to provide and establish an additional voting place in the Fifth, known as the Bayou Precinct, in McCracken county.

An act to amend and reduce into one, all the acts incorporating the town of Paintsville.

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank," approved February 8, 1869, and the several acts amendatory thereto.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Mt. Sterling Safety Vault and Trust Company.

2. An act to incorporate and define the corporate limits of Fallsburg, in Lawrence county.

3. An act to re-incorporate and amend the laws of the town of Salyersville, Magoffin county.

4. An act to authorize the board of trustees of the town of Barboursville, Knox county, to borrow money for the improvement of streets and the payment of the ordinary expenses thereof.

5. An act to incorporate the town of Bandana, in Ballard county.

6. An act to amend the charter of the town of Glasgow Junction, in Barren county.

7. An act to amend the charter of the town of Petersburg, in Boone county, extending the boundary limits of said town, and grant additional powers.

8. An act to declare Brush creek, in Floyd county, a navigable stream.

9. An act to change the time of holding the county and quarterly courts, in Floyd county.

10. An act to amend the charter of the town of Catlettsburg, Boyd county.

An act to amend the charter of the town of Alexandria, in Campbell county.

12. An act to change the boundry line of Clay and Laurel counties.

13. An act to authorize the town of Beattyville, in Lee county, to issue bonds to pay off its present floating indebtedness, to improve its streets, alleys and sidewalks, and to build bridges.

14. An act to recharter the town of Mt. Vernon, in Rockcastle county.

15. An act to increase the jurisdiction of justices of the peace, in McCracken county.

16. An act to authorize the Pendle on county court to borrow money in aid of building turnpike roads, and provide a sinking fund.

17. An act to amend an act, entitled "An act to amend the charter of the town of Wickliffe, in Ballard county," approved February 18, 1888.

18. An act to amend the charter of the town of Warsaw, in Gallatin county.

19. An act for the benefit of John W. Ridgeway, of Henry county, and allowing him certain credit by the Auditor in his next settlement as sheriff of Henry county.

20. An act to amend an act, entitled "An act to allow the citizens of Henry county to vote a tax in aid of turnpike road companies, and to require the commissioner to make annual reports to the county judge, etc., in Districts Nos. 2 and 3, and prescribe penalties for failure.

21. An act to legalize an order of the Larue County Court of Claims.

22. An act to authorize the Board of Trustees of the town of Eddyville, Lyon county, to sell or lease certain streets of said wton.

23. An act to establish a county board of Commissioners for the county of Pendleton, and to define their duties.

24. An act to amend the charter of the city of Augusta, Kentucky.

25. An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

26. An act to change the boundary of the town of Winchester.

27. An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred: The 1st and 27th, to the Committee on Banks and Insurance; the 2d, 9th and 15th, to the Committee

on Courts of Justice ; the 3d, 5th, 6th, 13th, 17th and 26th, to the Committee on Agriculture and Manufactures ; the 7th, 8th, 10th, 12th, 14th and 18th, to the Committee on Propositions and Grievances ; the 11th, to the Committee on Immigration and Labor ; the 16th, 23d and 24th, to the Committee on Codes of Practice ; the 19th, to the Committee on Finance ; the 20th and 25th, to the Committee on Internal Improvements ; and the 21st and 22d, to the Committee on the Judiciary.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read, as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE OFFICE, }
FRANKFORT, February 10, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with your advice and consent, will appoint Dr. J. Q. A. Stewart Medical Superintendent, and J. Monroe Adair Steward of the Institution for the Education and Training of Feeble-minded Children.

Very respectfully,

S. B. BUCKNER.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read, as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }
FRANKFORT, February 7, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and, with your advice and consent, will appoint J. A. Lucy, M. D., of Georgetown, and Geo. Beeler, M. D., of Clinton, as members of the State Board of Health, the former to succeed himself, and the latter to succeed C. A. Mayer, M. D.

Very respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Public Health.

A message in writing was received from the Governor by Mr. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 11, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

W. R. Abbott, Jefferson county.
R. B. Brown, Gallatin county.
James B. Camp, Jefferson county.
G. M. D. Chinn, Mercer county.
A. S. Ferguson, Boyd county.
William R. Jones, Ohio county.
Aaron Kohn, Jefferson county.
D. W. Lewis, Meade county.
W. N. Little, Jefferson county.
Sid A. Lovelace, Laurel county.
C. M. McGlothlan, Breckinridge county.
W. P. McLaughlin, Kenton county.
P. N. Myers, Kenton county.
Henry Y. Offutt, Jefferson county.
W. O. B. Ratliff, Pike county.
A. A. Scheiderhafer, Jefferson county.
William M. Seay, Washington county.
Wm. H. Stites, Henderson county.
J. E. Sparks, Elliott county.
W. P. Welsh, Fayette county.
A. B. White, Montgomery county.
Thomas R. Wiard, Bell county.
J. T. O'Neal, Jefferson county.
Harry C. Pulliam, Jefferson county.
W. L. Jackson, Jr., Jefferson county.
Zack Phelps, Jefferson county.
A. W. Keating, Jefferson county.
Tyler Burnett, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had

approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act to organize, supervise and maintain a common school in Common School District No. 49, on John's creek, in Pike county, approved April 13, 1886.

An act to amend an act to incorporate Bethel High School, located in Christian county, Kentucky, approved March 9th, 1854.

An act to incorporate the Citizens' Bank, of Bloomfield.

An act to prohibit the sale of spirituous, malt and vinous liquors in Morgantown, Kentucky, and within half a mile of the corporate limits of said town, and to provide the punishment for selling any of said liquors.

An act for the benefit of S. S. Dennis, ex-sheriff of Morgan county.

Resolution directing the State Librarian to procure and hoist a flag over the State Capitol.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to change the boundary line of Lee and Owsley counties ;

An act to authorize the Secretary of State to furnish certain offices in the county of Leslie with report of the Court of Appeals and Acts of the General Assembly ;

An act to amend an act to incorporate the town of Drakesboro, in Muhlenberg county ;

An act to prevent trespassing on real estate in the county of Boone ;

An act to amend the charter of the Bagdad Cemetery Company, of Shelby county ;

An act to declare navigable the Middle Fork of Rockcastle creek, in Martin county ;

An act to amend an act, entitled "An act to incorporate the Kentucky Investment Company," approved March 16, 1888 ;

An act to amend the charter of the town of Stephensport, in Breckinridge county ;

An act directing the county school superintendent of Robert-

son county to pay to Mrs. E. G. Dotson certain money due her as public school teacher in said county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Newcastle, in Henry county;

An act to incorporate the Port Jefferson Belt Railroad Company;

An act to amend an act, entitled "An act levying and imposing a tax on dogs in Boone county, and providing for its collection and appropriation to the payment of losses by the owners of sheep in said county, occasioned by dogs killing and injuring sheep;

—An act to declare Sawder's creek, in Floyd county, a navigable stream;

An act to declare Caney Fork, of Middle creek, a navigable stream;

An act for the benefit of Jacob Nall, of Webster county;

An act to authorize the Daviess County Court to sell and convey the pauper burying-ground belonging to said county;

An act to declare Coffee's creek, Williams' Fork and Middle Fork of the Elk Fork navigable;

And an enrolled bill, which originated in the Senate, of the following title, viz :

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank," approved February 18, 1869, and the several acts amendatory thereto;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the Northern Bank of Kentucky,

Reported the same without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Coal and Iron Bank,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid

The Senate, according to order, took up for consideration, a bill, which originated in the Senate, entitled

An act to create the Board of State-house Commissioners, and to provide for the erection and completion of the capitol and other necessary public buildings at the seat of government.

Mr. Kemp moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, February 19, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Mulligan moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, February 26, 1890, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken on the motion made by Mr. Mulligan, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Lindsay and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. B. Hannah,	John McCann,
Reuben Conner,	John K. Hendrick,	John P. Newman,
W. W. Dickerson,	J. H. Lunsford,	J. M. Pieratt,
Sam E. English.	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	D. L. May,	Phil Roberts,
William Goebel,	James H. Mulligan,	D. H. Smith.
R. G. Hays,	J. W. McCain,	J. S. Wortham—21.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman.
Ben F. Bradley,	William Lindsay,	J. H. Shearer—10.
T. L. Gleen,		

The Senate, according to order, took up for consideration, a joint resolution, which originated in the House of Representatives, entitled

A resolution to raise a joint committee to investigate and report whether the General Assembly has power to apportion Representatives, and to divide the State into Senatorial districts.

Said resolution reads as follows, viz :

WHEREAS, It is provided by section 6, article 2, of the Constitution, that: "In the year 1850, and again in 1857, and every eighth year thereafter, an enumeration of all the qualified voters of the State shall be made," in order to the apportionment of Representatives in the General Assembly, and also provides, that "the number of Representatives shall, at the several sessions of the General Assembly next after the making of the enumeration, be apportioned among the ten several election districts, according to the number of qualified voters in each," and sections 14 and 15 of the same article provides that, "at every apportionment of Representatives, the State shall be laid off into thirty-eight Senatorial districts," and "one Senator for each district shall be elected; and, whereas, the enumeration of the qualified voters should, under the Constitutional provision aforesaid, have been made in the year 1889, to enable this General Assembly to perform its constitutional duty of apportioning the Representatives and dividing the State into Senatorial districts; and, whereas, an act, approved January 20, 1888, providing for taking the sense of the good people of the Commonwealth as to the expediency of calling a Constitutional Convention, by its third section, provided a mode for the enumeration of the citizens of the Commonwealth qualified to

vote for Representatives, and declared that, "In the year 1889 no other officer shall be authorized to make any list or return of the qualified voters of this Commonwealth, nor shall any return thereof, except the registration books and certificates provided for by this act, be made, and all laws requiring lists or returns of such qualified voters are hereby repealed, so far as the year 1889 is embraced therein;" and, whereas, obedience to the said provision prevented the enumeration required by the said section 6, of article 2, of the Constitution, and will operate to defeat and nullify the provisions of said article requiring this General Assembly to apportion the Representatives and divide the State into Senatorial districts in the event the enumeration or registration of qualified voters, made pursuant to the provisions of the act of January 20, 1888, for a wholly different purpose, can not be deemed and treated as the enumeration contemplated by the said second article of the Constitution; and, whereas, doubts exist whether an apportionment of Representatives, and re-adjustment of Senatorial districts can be constitutionally based upon such enumeration or registration; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That a joint committee of eight members, consisting of three Senators, to be appointed by the Speaker of the Senate, and five Representatives, to be appointed by the Speaker of the House of Representatives, be, and such committee is hereby, appointed, to examine into and consider the aforesaid questions, and to report in writing to the two Houses, whether obedience to the provisions of the said act of January 20, 1888, prohibiting the assessing officers from enumerating the qualified voters in the year 1889, has disabled this General Assembly from discharging the duty imposed upon it by the provisions of said second article of the Constitution in regard to the apportionment of Representatives and the division of the State into Senatorial districts; and, if not so disabled, whether this General Assembly can constitutionally accept, and whether it ought to accept, the enumeration made pursuant to the provisions of the third section of the act of January 20, 1888, as the true number of qualified voters in the State, and proceed to apportion Representatives and to divide the State into Senatorial districts upon the basis of that enumeration or registration and upon the assumption of its substantial accuracy as to the whole number of qualified voters in the State and their distribution among the ten Representative districts and the several counties of the Commonwealth.

2. This resolution shall be in force from its adoption.

Mr. Breckinridge moved that the further consideration of said resolution be postponed indefinitely.

Mr. English moved that the session of the Senate be extended until the resolution under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Breckinridge, and it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Lindsay and Smith, were as follows, viz :

Those who voted in the affirmative. were—

W. H. Anderson,	William Goebel,	J. W. McCain,
W. F. Berry,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	Chas. B. Poyntz,
Reuben Conner,	John R. Kemp,	Phil Roberts,
W. W. Dickerson,	J. H. Lunsford,	J. H. Shearer,
G. W. Gates,	J. W. Martin,	J. S. Wortham—22.
T. L. Glenn,		

Those who voted in the negative, were—

Sam E. English,	James H. Mulligan,	J. M. Pieratt,
J. B. Hannah,	John McCann,	D. H. Smith,
William Lindsay,	John P. Newman,	A. H. Stewart—10.
D. L. May,		

So said resolution was disagreed to.

Mr. Stewart moved to reconsider the vote by which the Senate had ordered printed and recommitted to the Committee on Education, a bill, entitled

An act to reduce the cost of and to secure uniformity in the text books used in the common schools in this Commonwealth.

And the question being taken thereon, it was decided in the affirmative.

Mr. Stewart proposed an amendment to said bill as a substitute therefor.

On motion of Mr. Stewart—

Ordered, That said proposed substitute be printed, and that said bill and substitute therefor be recommitted to the Committee on Education.

Mr. Gates read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That this General Assembly when it adjourns on Friday, the 21st inst., it adjourn to meet again on Monday, the 24th inst., and that no session of this General Assembly be held on the 22d inst.

2. That in honor of the birthday of the Father of Our Country, George Washington, the Adjutant-General is directed to fire a salute of thirty-eight guns on the 22d inst., at 12 o'clock M.

3. This resolution to take effect from its adoption.

Which, under the rule, lies one day on the table.

Mr. Dickerson moved that a committee be appointed, upon the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the Senate, entitled,

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville," approved May 7, 1886.

Said bill read as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to prevent the drifting and floating of saw-logs down the Licking river below Salyersville," approved May 7, 1886, be, and the same is hereby, repealed.

§ 2. All laws and parts of laws in conflict with this act are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Huff and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. W. McCain,
W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,

Reuben Conner,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	J. S. Wortham—20.
G. W. Gates,	James H. Mulligan,	

Those who voted in the negative, were—

Sam E. English,	J. P. Huff,	Phil Roberts,
T. L. Glenn,	John McCann,	J. H. Shearer,
R. G. Hays,	J. M. Pieratt,	A. H. Stewart—10.
J. B. Hannah,		

Whereupon the Speaker appointed Mr. Dickerson such committee.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Dickerson moved that a committee be appointed on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the Senate, entitled

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any person or persons desiring to construct a boom at or near the mouth of any stream or streams tributary to the Licking river, for the purpose of catching timber floated down said streams, be, and they are hereby, authorized to erect said booms for said purpose: *Provided*, That such timber, so caught, shall be held at the option of the owner of said timber for such a time only as will not incur unnecessary delay or work an injustice upon any other person in interest: *And provided, further*, That no charges shall be made by the owners of said boom or booms for the catching or holding of timber thereon.

§ 2. Should the owners of lands at the mouth of any of said streams object to the construction of a boom on their lands, then said boom shall not be constructed and established until said lands shall have been condemned, in the method now provided by law in regard to mills.

§ 3. All laws and parts of laws in conflict with this act are hereby repealed.

§ 4. This act shall take effect and be in force from and after its passage.

And the question being taken thereon, it was decided in the affirmative.

Whereupon the Speaker appointed Mr. Dickerson said committee.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

The Senate, according to order, took up for consideration a bill, entitled

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth."

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to regulate the sale of spirituous, vinous, or malt liquors in this Commonwealth," approved May 26, 1874, be amended as follows: That it shall be the duty of the judge of the county court in each county of this Commonwealth, upon a written petition, signed by at least twenty of the legal voters in any county or civil district, town or city in his county, to make an order on his order-book, on the first day of the next regular term of his court after he receives said petition, directing the sheriff, or other officer, whose duty it may be to hold the election, to open a poll in said county, district, town or city, on the day designated in said petition, it not being a day for any State or county election, for the purpose of taking the sense of the legal voters in said county, district, town or city, upon the proposition whether or not spirituous, vinous, or malt liquors shall be sold therein.

§ 2. It shall be the duty of the county court clerk to give to the sheriff, or other officer, whose duty it shall be to hold the election mentioned in section 1 of this act, a certified copy of the order of the judge of the county court, as it appears on his order-book, within ten days after said order is made.

§ 3. It shall be the duty of the sheriff, or other officer, whose duty it may be to hold the election mentioned in section 1 of this act, to have the order of the judge of the county court published in some weekly or daily paper published in the county, for at least twenty days before the election; and also to advertise the same by printed hand-bills, posted at ten conspicuous places in said county, district, town or city, for the same length of time; and if there is no daily or weekly news paper published in the county, then printed hand-bills, posted as before provided for, shall be sufficient notice. The sheriff, or other officer, whose duty it shall be to hold the election mentioned in section 1, shall have the advertisement and notices herein provided for, posted as above provided for, within ten days after he receives the order of the county judge, and twenty days before the election.

§ 4. It shall be the duty of the sheriff, or other officer, whose duty it may be to hold the election mentioned in section 1 of this act, to open a poll, and the election officers shall propound to each voter, who may vote, the question, "Are you in favor of the sale of spirituous, vinous, or malt liquors in this county, district, town or city?" And his vote shall be entered for or against it, as he directs. The poll shall be returned, examined and compared by the same officers as the other polls in State or county election.

§ 5. If it shall be found that a majority of the legal votes cast at the election before provided for were given against the sale of spirituous, vinous, or malt liquors in the county, district, town or city, it shall be the duty of the examining board to certify that fact, which certificate shall be delivered to the clerk of the county court, and by him safely kept until the next regular term of the county court, at which term the judge thereof shall have the same spread on the order-book of his court; and said entry of the certificate in the order-book, or a certified copy thereof, shall be *prima facie* evidence in all proceedings under this act.

§ 6. After the entry of the certificate of the examining board, as above provided for, in the order-book of the county court, it shall be unlawful for any person to sell any spirituous, vinous, or malt liquors in said county, district, town or city to any person, except as hereinafter provided for; and any person who sells any such liquors in said county, district, town or city shall, upon conviction, be fined the sum of not less than one hundred dollars nor more than five hundred dollars for each offense.

§ 7. The provisions of this act shall not apply to any manufacturer or wholesale dealer who, in the usual course of trade, sells by the wholesale, and in quantities not less than ten gallons at any one time; nor to druggists who sell for sacramental purposes, or for medicinal purposes, on a prescription made and signed by a regular resident practicing physician: *Provided*, That said druggist has first complied with the provisions set forth in section 10 of this act; but no physician shall make or sign any such prescription, except the person for whom it is made is actually sick, and such liquor is absolutely required as a medicine; and any physician who makes or signs any prescription for such liquors, except as provided in this act, shall be guilty of a violation of this act, and, on conviction, be fined in any sum not less than one hundred dollars for such offense.

§ 8. The election herein provided for shall not be held oftener than every three years, and the officers to conduct an election held under this act shall be appointed by the county court, and divided, as near as may be, at each voting place, between the friends of those for and those against the sale of the liquors aforesaid, and said officers shall be governed by the laws of the

Commonwealth regulating the mode and manner of holding and conducting election for Governor and other officers.

§ 9. The county judge shall not make the order for the election until the persons signing the petition have deposited with him, in money, an amount sufficient to pay for printing or posting advertisements as provided for, and the fees of the clerk for making entries on the order-book, and other legal fees,

§ 10. Before any druggist shall be allowed to sell any spirituous, vinous, or malt liquors upon the prescription of a regular resident practicing physician, as provided for in section 7, he shall execute a bond to the Commonwealth of Kentucky, in the county court of the county where he carries on his business, in the sum of \$2,000, with good security, residing in said county, conditioned that the druggist will comply with the provisions of this act; and any druggist who shall sell such spirituous, vinous, or malt liquors, without first having executed said bond, or without having received the prescription from such physician, shall be fined for each offense not less than one hundred dollars nor more than five hundred dollars.

§ 11. It shall be the duty of every druggist, who sells the liquors aforesaid under this act, to keep each prescription for said liquors, or either of them, in a book separate, and the name of the person for whom said prescription was made, and apart from all other prescriptions, and that he shall keep said book in a public place in his store, open for public inspection, and subject to the call of the grand jury or court having jurisdiction to try any offense under this act; and, upon the failure of said druggist to keep such book as aforesaid, he shall be fined for each offense in a sum not less than one hundred dollars nor more than five hundred dollars; and any person, who shall remove, mutilate, deface, or otherwise injure any prescription filed in said book, shall be fined in any sum not less than one hundred dollars for each offense.

§ 12. If it shall be found that a majority of the legal votes cast at said election are in favor of the sale of spirituous, vinous, or malt liquors in the county, then, in that event, it shall not be lawful to sell any such liquors in any of the districts of said county in which the law known as the Local Option Law has hitherto been voted, and is, at the time of this election, in force or prohibited by a special act of the Legislature; but such law shall remain and be in full force in said districts just as if no vote under this act had been voted, unless a majority of the legal voters of that particular town, city or district, vote for the sale of said liquors.

§ 13. If a majority of the votes cast be against the sale of said liquors in any county, or in any district, town or city in any county, the judge of the county court of said county shall, by public proclamation, publish either in the county paper or by printed hand-bills, posted at five or more public places in said county, district, town or city, announce that the said sale

is prohibited in said county, district, town or city, by name, and when this act shall or will go into effect in said county, district, town or city.

§ 14. The circuit and criminal courts of this Commonwealth shall have jurisdiction over offenses committed against the provisions of this act, and the circuit and criminal judges of this Commonwealth shall give this act in charge to the grand juries of their respective courts at each term of the court.

§ 15. If a majority of the legal votes cast in any county be for the sale of said liquors, and a majority of the legal votes of any district, town or city in said county be against the sale of said liquors, then it shall be the duty of the examining board to certify that fact, as in section 5 of this act, and the provisions of this act shall be in force in such districts, town or city, giving such majority against the sale of said liquors.

§ 16. Nothing in this act shall be construed to interfere with the privilege of any person who is selling liquors under a license properly granted until the expiration of such license.

§ 17. This act shall take effect from and after its passage.

Mr. May proposed the following amendment to said bill, viz :

Amend section 10 by adding : "That no druggist shall sell spirituous, vinous, or malt liquors in any of the cities, towns or districts, where license is granted to other persons, without paying the same license."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. May and McCann, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	John P. Newman,
Reuben Conner,	William Lindsay,	J. J. Paul,
W. W. Dickerson,	D. L. May,	J. M. Pieratt,
G. W. Gates,	James H. Mulligan,	Chas. B. Poyntz,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	A. H. Stewart—19.
R. G. Hays,		

Those who voted in the negative, were—

R. J. Breckinridge,	John R. Kemp,	J. H. Shearer,
John K. Hendrick,	Phil Roberts,	J. S. Wortham—7.
J. P. Huff,		

Mr. Poyntz proposed to amend said bill as follows, viz :

"Amend so as to exempt the 13th and 31st Senatorial Districts from the operations of the bill."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Newman moved to amend said bill as follows, viz :

“Amend by exempting Campbell county from the operation of the bill.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. McCann proposed to amend said bill as follows, viz :

“The city of Louisville and Jefferson county are exempted from the provisions of the bill.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Gates proposed to amend said bill so as to exempt the Seventh Senatorial District from its operations.

Mr. Berry proposed to amend said bill as follows, viz :

Amend section three by striking out the words in the sixth and seventh lines of said section, “ten conspicuous places,” and insert in lieu thereof the words, “in each voting precinct” in said county.

Mr. Roberts moved to amend said bill by exempting the county of Madison from its provisions.

Mr. Mulligan moved to amend said bill by exempting the county of Fayette from its provisions.

Mr. McCain moved to amend said bill by exempting the Twenty-first Senatorial District, and the counties of Christian and Hopkins, from its provisions.

Mr. Dickerson moved to amend said bill by exempting the Twenty-sixth Senatorial District from the provisions thereof.

Mr. Bradley moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Stewart and Huff, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	Chas. B. Poyntz,
W. W. Dickerson,	James H. Mulligan,	Phil Roberts,
Sam E. English,	J. W. McCain,	D. H. Smith,
G. W. Gates,	John McCann,	J. S. Wortham—15.

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
J. B. Hannah,	J. W. Martin,	J. H. Shearer,
John K. Hendrick,	D. L. May,	A. H. Stewart—16.
J. P. Huff,		

Mr. Breckinridge moved that said bill and proposed amendments be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Martin—

1. A bill for the benefit of School Districts Nos. 23 and 37, in Butler county.

On motion of Mr. McCain—

2. A bill to amend section 5, article 21, chapter 2, General Statutes.

On motion of Mr. Gates—

3. A bill to amend chapter 29, article 29, General Statutes, regarding the carrying concealed a deadly weapon.

On motion of same—

4. A bill to repeal so much of section 7, chapter 81, General Statutes, as make the office of county surveyor or any deputy county clerk incompatible.

On motion of same—

5. A bill making it a misdemeanor for any person under twenty-one years of age to misrepresent himself to a regular licensed saloon-keeper or other licensed vendor of spirituous, vinous, or malt liquors, and fixing penalties therefor.

On motion of same—

6. A bill making it a misdemeanor for any person not twenty-one years of age, to represent himself to a licensed keeper of a billiard or pool-room, and be permitted to play billiards or pool in the room of such keeper, and fix penalty for same.

On motion of same—

7. A bill giving landlords lien on crops and other personal property of tenants and under-tenants.

On motion of same—

8. A bill to amend sections 6 and 8, of chapter 70, of the General Statutes, entitled "Liens in favor of Mechanics," etc.

On motion of same—

9. A bill to prohibit the shipping of partridges out of McLean and Daviess counties within two years.

On motion of same—

10. A bill for the better protection of food fish in Green river.

On motion of same—

11. A bill for the benefit of sheriffs and ex-sheriffs, and clerks ex-clerks, of county and circuit courts of the Commonwealth.

On motion of same—

12. A bill to continue the Geological Survey.

On motion of same—

13. A bill to regulate fees for marriage license.

On motion of same—

14. A bill to regulate the compensation of the members of the General Assembly.

On motion of same—

15. A bill to permit foremen of grand juries to take statements of witness testifying before them, in writing, to file same with indictments to be read on the trial of the same as a memorandum to refresh the memory of witness.

On motion of same—

16. A bill to provide for the calling of a Constitutional Convention.

On motion of same—

17. A bill to amend the charter of the Daviess County Fair Company.

On motion of same—

18. A bill to prohibit persons from riding or driving on the sidewalks within one-half mile of Owensboro, on Fredrica street, extended, known as Livermore road.

On motion of same—

19. A bill to incorporate the Owensboro and Madisonville Railroad.

On motion of Mr. Mulligan—

20. A bill to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lex-

ington," approved April 19, 1882, and all acts amendatory thereof.

On motion of Mr. Shearer—

21. A bill to prohibit the sale of pistol cartridges to minors in this Commonwealth.

On motion of Mr. Mulligan—

22. A bill to amend an act, entitled "An act to incorporate the Lexington Hydraulic and Manufacturing Company," approved February 27, 1882.

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on General Statutes the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 18th and 21st; the Committee on Courts of Justice the 11th, 13th and 15th; the Committee on Public Expenditures the 14th; the Committee on Geological Survey the 12th; the Committee on the Judiciary the 16th, 20th and 22d; the Committee on Internal Improvements the 17th, and the Committee on Railroads the 19th.

And then the Senate adjourned.

THURSDAY, FEBRUARY 13, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

Resolution authorizing the Auditor and the Treasurer to sell old coins now in the Treasurer's office, and credit the same to the Tate defalcation.

An act to amend an act, entitled "An act to incorporate the Paducah and Illinois Bridge Company."

An act to amend an act, entitled "An act to incorporate the Benedictine Society of St. Joseph's Church, at Covington," approved January 23, 1867.

An act to amend an act to incorporate the Theological Seminary of the Protestant Episcopal Church in the State of Kentucky, approved February 24, 1834.

An act to amend an act, entitled "An act to incorporate the Mulberry and Consolation Turnpike Road Company," of Shelby county.

An act to amend an act to establish and maintain a graded free school in the town of Harrodsburg, Kentucky.

An act to amend an act, entitled "An act to incorporate the Mount Vernon and Pisgah Turnpike Company," in Woodford county.

An act for the benefit of G. W. Wilcox, sheriff of McCracken county, allowing him to execute bond in the month of February, 1890, for the collection of the revenue, and also to execute his official bond as sheriff.

An act to authorize the county court of Hart county to erect a work-house on the county farm, and to authorize the confinement of certain persons therein, and to work them on the county farm.

An act to authorize the city of Hopkinsville to issue and sell bonds to pay the present bonded debt of said city.

An act to change the time of holding the criminal court in the counties of Pike, Floyd, Johnson and Lawrence, in the Sixteenth Judicial District.

An act to amend an act, entitled "An act to incorporate the Mississippi River Levee Company," in Fulton county.

An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company."

An act to incorporate the Shady Nook and Buena Vista Society, of Shady Nook, Harrison county, Kentucky.

An act to amend section 7 of the charter of the Knob Lick and McCormack's Church Turnpike Road Company, approved April 8, 1880.

An act to incorporate the Howard Seminary, of Owensboro, for young ladies.

An act to amend an act, entitled "An act to incorporate the East Hickman and Jessamine County Turnpike Company."

An act to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1872.

An act to amend an act, entitled "An act to incorporate the Windom Turnpike Company."

An act to amend section 9, article 8, chapter 1534, Common School Law of this Commonwealth.

An act to establish an additional voting place in Breckinridge county, at Webster Station.

An act to repeal an act, entitled "An act to provide for repairing and keeping in repair the public roads in Lincoln county," approved February 24, 1888.

An act to amend an act, entitled "An act to incorporate the Limestone Mutual Fire Insurance Company of Maysville."

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Winchester Bank of Winchester.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to authorize Duke Cayce Bowers, a minor, to transact business as a man.

An act to authorize the city of Lexington to make a donation in land and money, or its equivalent, in order to secure the location at or near said city of the machine-shops of the Elizabethtown, Lexington & Big Sandy Railroad Company, and to ratify and legalize an ordinance of said city, and the election held thereunder, in reference to said donation.

An act to amend section 2, article 17, chapter 29, of the General Statutes.

An act to prohibit any person in this Commonwealth from giving, selling or bartering cigarettes, or cigarette material, to any child under 18 years of age, or to others for their use, or to induce such children to use same, and providing penalties for the violation thereof.

With an amendment to the first-named bill.

That they had passed bills and adopted a joint resolution of the following titles, viz :

1. An act to protect the privacy of telegraphic messages.
2. An act to amend section 5 of an act, entitled "An act to prescribe the mode of condemning land for the use of railroad and turnpike companies," approved April 11, 1882.
3. An act providing a game law for Kenton county.
4. An act for the benefit of J. H. Poage, Clerk of the Boyd County and Quarterly Court.
5. An act to secure a more uniform and equal distribution of jury service among the citizens of the county of Jefferson and the city of Louisville.
6. An act to amend an act, entitled "An act to amend article 1, chapter 55, of the General Statutes, title 'Division Fences,'" approved May 17, 1886.
7. An act to amend an act, entitled "An act to regulate municipal elections in the city of Louisville."

An act to amend the charter of the city of Owensboro, to empower the common council of said city to levy a tax each year for the purpose of defraying expenses of said city.

9. Resolution to provide a committee to re-district the State into Congressional Districts.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 2d to the Committee on Railroads ; the 3d and 4th to the Committee on Courts of Justice ; the 1st, 6th and 7th to the Committee on General Statutes ; the 8th to the Committee on Internal Improvements, and the resolution to the Committee on Privileges and Elections.

On motion of Mr. Hendrick—

Ordered, That the consideration of the special order of the day be postponed, and that a call of the committees be had.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend, digest

and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof.

By Mr. McCann, from the Committee on Courts of Justice—
An act to incorporate the Kentucky Soldiers' Home.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to change the boundary of the town of Winchester.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Fayette Safety Vault and Trust Company.

By same—

An act to incorporate the Equitable Trust and Banking Company.

By Mr. Lindsay, from the same committee—

An act to incorporate the Kentucky Dime Savings Bank.

By Mr. Hays, from the same committee—

An act to amend an act, entitled "An act to incorporate the Bank of Murray, Calloway county."

By Mr. Hannah, from the Committee on Courts of Justice—

An act to incorporate and define the corporate limits of Fallsburg, in Lawrence county.

By Mr. Goebel, from the same committee—

An act regulating and defining the terms of justices' courts in Paducah, McCracken county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Greensburg Deposit Bank.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows :

EXECUTIVE DEPARTMENT,
FRANKFORT, February 13, 1890. }

Gentlemen of the Senate and House of Representatives :

I desire to invite your attention to the character of the bank legislation which is now being enacted, and which, if not remedied, is likely to result in financial disaster. I do this the more readily, because it is believed that the suggestions are in harmony with your own purposes to remedy the threatened evils. Judging from the features of the numerous bank charters that have reached the Executive Office, it may be inferred that every set of incorporators seeks to obtain every privilege that is attainable, and to be subject to the smallest amount of responsibility. As a result of these attempts, there is an entire absence of uniformity in the requirements of these charters, and a corresponding inadequacy of protection to depositors.

Amongst the bills now before the Executive for consideration, is one which requires a payment of twenty-five per cent. of the capital before beginning business ; two others, on an authorized capital of \$500,000, each are required to pay only \$10,000 ; and another, which is an amendment to an existing charter, and which converts a different institution into a bank, without the payment of any portion of the stock, and with the privilege of general speculation in real estate. In none of these charters is there any requirement to pay any further installment on the capital stock. In some charters private property can not be levied upon, even to make good the unpaid stock.

It will be readily seen that in banking institutions, organized on such a basis, there is no security for a depositor. The deposits become, in fact, almost the sole banking capital. Inex-

perienced bankers, seeking to make immense profits on their small investments, are tempted to lend the money of the depositors on inadequate security. When the spirit of speculation results in commercial disaster, the money which has been loaned can not be recovered, the deposits are lost, and, as the bank has not been required to pay up its capital stock, the depositor is entirely without remedy. In such an event he will be apt to visit censure upon his agents, who, while encouraging him by their legislation to deposit his money in these institutions, have not thrown around them such guards as would give reasonable protection to the interests of the depositor.

As the Senate is maturing a bill to correct the faults of existing legislation on this subject, and as the House of Representatives has adopted a resolution tending in the same direction, the Executive proposes to act in harmony with the General Assembly by withholding his approval from the class of legislation alluded to while the remedial legislation is being perfected.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Dickerson—

Ordered, That said message be referred to the Committee on Banks and Insurance.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to establish a criminal court in Marion county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That there is hereby established a court of justice in and for Marion county, in this Commonwealth, to be known and styled as the "Marion Criminal Court," to be held by a judge, who shall have the same qualifications as a circuit judge, and who shall receive five hundred dollars per annum for his services, to be paid him out of the State Treasury in like manner as circuit judges are paid. He shall, in all criminal and penal cases, have and exercise the same powers as a circuit judge, and in such other cases as may be brought therein, as hereinafter provided. He shall have the same powers and

jurisdiction in *habeas corpus* cases as a circuit judge, and shall be commissioned and sworn as circuit judges are, and be liable to the same penalties, and subject to impeachment and removal for the same causes and in the same manner as circuit judges are under existing laws, except that he shall be permitted to practice law in civil cases. Said court shall be a court of record, and have a seal.

§ 2. A judge of said court shall be elected by the qualified voters of Marion county, on the first Monday in August, 1890, and shall hold his office until the regular election on the first Monday in August, 1894, when his successor in office shall, by said voters, be elected to serve four years, and so on, at an election every fourth year, a judge shall be elected to serve the ensuing four years, and until his successor is elected and qualified, and vacancies in said office shall be filled in the same manner, and for the same term, as is now provided by law for filling vacancies in the office of circuit judges: *Provided, however,* The Governor shall appoint and commission a judge of said court until one is elected and qualified under the provisions of this act.

§ 3. The sheriff and other ministerial officers of said county, shall perform all the duties in prosecutions and proceedings in said court required of them in similar prosecutions and proceedings in the circuit courts, and shall have same fees as for similar services in circuit courts. The circuit court clerk of Marion county shall, by virtue of his office, be clerk of the criminal court hereby established, and he shall have the same fees as for similar services in the circuit court, and shall be responsible on his official bond as such for the faithful discharge of his duties. Said clerk shall, immediately after the passage of this act, without additional fees, transfer from the docket of the Marion Circuit Court to the docket of the criminal court hereby established, all criminal and penal cases to be disposed of in the court established by this act.

§ 4. The court established by this act shall have jurisdiction, exclusive of the Marion Circuit Court, of all criminal and penal cases, felonies and misdemeanors, and proceedings on forfeited recognizances which the Circuit Court of Marion county now has, or which may be conferred on said court, and said court hereby established shall have concurrent jurisdiction with the Marion Circuit Court in inquests of idiocy and lunacy, and exclusive of the said circuit court in allowing claims on the treasury now allowed by said circuit court.

§ 5. The regular terms of the court established by this act shall be held as follows, to-wit: The fourth Monday in January, and continuing twelve juridical days; and the third Monday in July, and continuing eighteen juridical days.

§ 6. The judge of said court may extend the July term of said court, if the business so requires it, and may call special terms of his court as circuit judges under existing laws. Appeals

may be prosecuted to the Superior Court and Court of Appeals from the judgments and [final] orders of the court established by this act, in like manner and under like restrictions as appeals from the circuit courts are taken and prosecuted.

§ 7. The Commonwealth's Attorney for the Marion Circuit Court shall attend each term of said Marion Criminal Court and represent the Commonwealth, and discharge all the duties, and be entitled to the same compensation as now provided by law in the circuit courts.

§ 8. The list of persons selected to be summoned as grand jurors for the March term, 1890, of the Marion Circuit Court, shall be summoned as grand jurors for the July term, 1890, of the court herein provided for, and no grand jury shall be summoned for said circuit court. The Marion Circuit Court, at its said March term, 1890, cause petit jurors to be selected for the said court hereby established, and thereafter grand and petit jurors shall be selected and summoned by, and for said Marion Criminal Court in the same manner as now provided by law for circuit courts, and they shall perform the same services and receive the same pay as jurors in the circuit court. All bail bonds and recognizances heretofore taken, conditioned for the appearance of parties or witnesses in criminal or penal cases at the next March term of the Marion Circuit Court, shall be for the appearance of such parties as witnesses to the first term of the court herein established, and all bail bonds and recognizances hereafter taken by magistrates and examining courts in Marion county, returnable to the Marion Criminal Court herein established, after this act takes effect.

§ 9. Special judges for said criminal court may be selected for the same causes, and in the same manner, and shall possess the same qualifications, as special judges of the circuit court, and the provisions of the law in relation to record-books, presses, seals, and other expenses in the circuit court, shall apply to the court established by this act.

§ 10. All reports and returns required to be made to the circuit court in said county by the circuit court clerks, county court clerks, county court judges, justices of the peace, sheriffs, marshals, constables, trustees of the jury fund, and all civil officers and other persons having in their hands fines or forfeitures belonging to the jury fund, shall be made exclusively to the court established by this act.

§ 11. Nothing in this act shall be so construed as to take from the circuit court the power to make provisions for the payment of jurors in the circuit court, and officers of said circuit court, and allowances for the support of lunatics and idiots.

§ 12. The law in relation to the compensation of special judge in the circuit court shall apply to special judges of the criminal court established by this act.

§ 13. No grand jury shall be summoned in the circuit court of Marion county, but said court shall have petit jurors only.

§ 14. If from any cause the attorney for the Commonwealth for the Marion Circuit Court shall fail to attend any of the courts established by this act, it shall and may be lawful for the judge presiding in said criminal court at such term to appoint some member of the bar attorney for the Commonwealth *pro tem.*, who shall receive the same fees that the regular attorney for the Commonwealth shall receive, payable to him in the same way and manner.

§ 15. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John P. Newman,
W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
F. W. Darby,	D. L. May,	Chas. B. Poyntz,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	J. S. Wortham—25.
R. G. Hays,		

Those who voted in the negative, were—

Reuben Conner,	J. W. Martin,	J. H. Shearer,
John R. Kemp,	Phil Roberts,	G. Terry—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kemp and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
W. F. Berry,	J. B. Hannah,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,

F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	D. L. May,	C. B. Poyntz,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart—25.
William Goebel,		

Those who voted in the negative, were—

Reuben Conner,	Phil Roberts,	G. Terry,
John R. Kemp,	J. H. Shearer,	J. S. Wortham—6.

Mr. Gates, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of P. H. Haley, a justice of the peace of Daviess county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It appearing that P. H. Haley, a justice of the peace of Daviess county, had his home burned on the 9th of July, 1889, and that he had therein (\$25) twenty-five dollars of fines collected that belonged to the State that was also burned; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the said P. H. Haley, a justice of the peace of Daviess county, be, and he is hereby, released from the payment of the said twenty-five dollars in fines, which he had collected, and which he reported to B. E. W. Stout, trustee of the jury fund for the Daviess Circuit Court, at its July term, 1889.

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wortham and Hendrick, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	John P. Newman,	D. H. Smith,
W. W. Dickerson,	J. M. Pieratt,	A. H. Stewart—8.
G. W. Gates,	Phil. Roberts,	

Those who voted in the negative, were—

Reuben Conner,	J. W. McCain—2.
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Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to cheapen and regulate the prices of text-books used in the common schools of this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Peterman—

Ordered, That said bill be printed, and recommitted to the Committee on Education, with leave to report at any time.

Mr. Stewart, from the Committee on Education, to whom was recommitted a bill, which originated in the Senate, entitled

An act to establish and maintain the Eastern Kentucky State Normal School,

Reported the same without amendment.

On motion of Mr. Stewart—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for to-morrow, at 10:45 o'clock A. M., and from day to day until disposed of.

The Speaker laid before the Senate the memorial of Mrs. E. A. W. Burbage, of Mt. Alba, Breckinridge county, praying for the passage of an act to exempt all widow ladies in the Hardinsburg district, in Breckinridge county, from the payment of the special railroad tax voted in said district.

On motion of Mr. Wortham—

Ordered, That said memorial be referred to the Committee on Propositions and Grievances.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Bank of Calloway, of Murray, Kentucky,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank," approved February 18, 1869, and the several acts amendatory thereof.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to extend the time for beginning in this State the location and construction of the line of the West Virginia & Ironton Railroad Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Conner, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate Columbia Finance and Trust Company of Louisville, Kentucky,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon,

Said bill fell into the orders of the day.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the people of Russell county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county ;

An act to incorporate the Winchester Female College ;

An act prohibiting the sale of spirituous, vinous and malt liquors within two miles of Monroe's church or chapel, in Barren county ;

An act to incorporate the Three States Banking and Trust Company ;

An act to change the boundary of the town of Winchester ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to authorize the court of levy and claims of Menefee county to levy an ad valorem tax for county purposes," approved March 24, 1888 ;

An act to amend an act relating to the incorporation of the town of Prestonsburg, in Floyd county, approved March 18, 1888 ;

An act to authorize the city of Dayton, in Campbell county, to issue bonds and refund her present indebtedness ;

An act to amend the charter of the town of Sandy Hook, in Elliott county ;

An act to incorporate the town of Josephine, in Scott county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act concerning the stock in the Bank of Louisville held by the Commissioners of the Sinking Fund of the Commonwealth of Kentucky,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Cumberland Improvement Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Breckinridge moved that said bill be printed, and recommitted to the Committee on Courts of Justice.

Mr. Anderson moved that said bill be recommitted to the Committee on Internal Improvements, with directions to report the same on Tuesday next, February 18, at 11 o'clock A. M.

On motion of Mr. Kemp—

Ordered, That said bill be printed, and recommitted to the Committee on Internal Improvements, with directions to report the same on Tuesday next, February 18, at 11 o'clock A. M.

Mr. Anderson, from the Committee on Codes of Practice, to

whom was referred a bill, and the pending amendments thereto, which originated in the House of Representatives, entitled

An act to permit the wife to testify in certain criminal and penal cases against the husband,

Reported the same, with an amendment, as a substitute therefor.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. In criminal and penal cases, where the wife is the person injured, she shall be a competent witness against her husband.

§ 2. This act shall take effect from and after its passage.

The amendment proposed by the committee as a substitute for said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That subsection 1, of section 606, of the Civil Codes of Practice, be stricken out and repealed, and in lieu thereof the following words are inserted as said subsection, viz : "That husband and wife shall be competent witnesses in all causes and prosecutions, except as to confidential communications made by one to the other during coverture.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Bradley proposed an amendment as a substitute for said bill.

And the question being taken on the adoption of the amendment reported by the committee as a substitute for said bill, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Bradley, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	D. L. May,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	J. H. Shearer,
William Goebel,	John McCann,	D. H. Smith,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—22.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	R. J. Breckinridge,	R. G. Hays,
Ben F. Bradley,	F. W. Darby,	J. H. Lunsford—6.

Mr. Bradley proposed the following amendment as a substitute for said bill, as amended, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That at the institution or in the prosecution of any penal or criminal charge against a husband or wife for an assault or personal injury committed by the one upon the other, they shall be permitted to testify.

§ 2. That this act shall take effect from and after its passage.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Breckinridge, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	F. W. Darby,	J. H. Lunsford,
Ben F. Bradley,	R. G. Hays,	G. Terry—8.
R. J. Breckinridge,	John K. Hendrick,	

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	D. L. May,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	J. S. Wortham—20.
J. B. Hannah,	J. J. Paul,	

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Terry and Berry, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. J. Paul,
Reuben Conner,	William Lindsay,	A. L. Peterman,
W. W. Dickerson,	J. H. Lunsford,	J. M. Pieratt,
G. W. Gates,	D. L. May,	Phil Roberts,
T. L. Glenn,	James H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	D. H. Smith,
J. B. Hannah,	John McCann,	A. H. Stewart,
John K. Hendrick,	John P. Newman,	J. S. Wortham—24.

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	Chas. B. Poyntz,
Ben F. Bradley,	R. G. Hays,	G. Terry—7.
R. J. Breckinridge,		

Resolved, That the title of said bill be amended so as to read as follows, viz:

“An act to amend section 606 of the Civil Code of Practice.”

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Dickerson moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Bradley—

1. A bill for the benefit of Fisher's Mill Turnpike Road Company.

On motion of Mr. Conner—

2. A bill to incorporate the Florence and Covington Street Railway Company.

On motion of Mr. Gates—

3. A bill to declare Horse-fork creek, in Daviess county, a navigable stream.

On motion of Mr. Martin—

4. A bill to increase the jurisdiction of the Butler Quarterly Court.

Ordered, That the Committee on Internal Improvements pre-

pare and bring in the 1st; the Committee on Propositions and Grievances the 2d and 3d, and the Committee on Claims the 4th.

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kemp and Berry, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby, J. W. McCain, J. J. Paul—3.

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	J. M. Pieratt,
W. F. Berry,	John R. Kemp,	C. B. Poyntz,
Ben F. Bradley,	William Lindsay,	Phil Roberts,
R. J. Breckinridge,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	James H. Mulligan,	G. Terry,
G. W. Gates,	John McCann,	J. S. Wortham—23.
J. B. Hannah,	John P. Newman,	

Mr. Mulligan moved that when the Senate adjourns, that it adjourn to meet to-morrow, at 11 o'clock A. M.

Pending the consideration of which motion, the hour of one o'clock P. M. having arrived, the Senate adjourned.

FRIDAY, FEBRUARY 14, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the House of Representatives, of the following titles, viz :

Resolution providing for a committee to investigate the Mason & Foard Company.

Resolution raising a joint committee to visit and investigate

the condition of affairs concerning the Branch Penitentiary at Eddyville.

An act to incorporate the Richmond Opera House Company.

An act for the benefit of Mrs. J. A. Deiner.

An act to authorize the board of trustees of the town of Crab Orchard, Kentucky, to issue bonds to pay off the outstanding indebtedness of the said town.

An act to incorporate the town of Centertown, in Ohio county.

An act directing the county school superintendent of Robertson county to pay to Mrs. E. G. Dotson certain money due her as public school teacher in said county.

An act to declare navigable the Middle Fork of Rockcastle creek, in Martin county.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Savings Bank of Lewisport.

That they had concurred in joint resolutions and passed bills, which originated in the Senate, of the following titles, viz :

Resolution of respect and sympathy extended Hon. Benjamin F. Tracy, Secretary of the Navy.

Resolution of respect to the memory of Hon. J. M. Bigger.

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof.

An act to incorporate the Coal and Iron Bank.

That they had passed bills of the following titles, viz :

1. An act for the benefit of J. W. Dougherty, of Nelson county.

2. An act to incorporate the American Bank, Trust and Guarantee Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on General Statutes, and the 2d to the Committee on Banks and Insurance.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Dickerson, from the Committee on Codes of Practice—

An act to amend the charter of the city of Augusta, Kentucky.

By Mr. Peterman, from the Committee on Education—

An act to change the time for the examination of candidates for county superintendents.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to create Persimmon Grove voting precinct, in Campbell county, a magisterial district.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act to incorporate the town of Farm, in Graves county, Kentucky, approved April 1, 1880.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to incorporate the Confederate State Association of Kentucky.

By same—

An act to incorporate the Bruners' Chapel, Liberty and Cedar Grove Turnpike Company.

By same—

An act for the benefit of James Page Spilman, an infant, removing his disabilities.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to legalize an order of the Larue County Court of Claims, regulating the price for wagons, plows, teams, etc., used on public roads in said county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to exempt Riverside Seminary, in Vanceburg, Lewis county, Kentucky, from all county, city and local taxes,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 10, article 11, chapter 29, of the General Statutes.

Said bill was read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 10, article 11, chapter 29, of the General Statutes, be, and the same is hereby, amended by striking out of said section the words, "twenty dollars or more, and without color of title in himself to the land upon which said timber was growing or to said timber," and inserting in lieu thereof the words "ten dollars or more."

§ 2. This act shall take effect and be in force from its passage

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend sections 6 and 8, of chapter 70, General Statutes, entitled "Liens in favor of Mechanics," etc.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the words "sixty days," in section 6,

and the word "six," in section 8, of chapter 70, General Statutes, be, and the same are hereby, stricken out, and in their stead the words "six months" be inserted in said sixth section, and the word "twelve" be inserted in the eighth section.

§ 2. This act shall take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 29, article 29, General Statutes of Kentucky, regarding the carrying of concealed weapons.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That chapter 29, article 29, of the General Statutes, be amended so as to read : If any person not authorized by law shall carry concealed a deadly weapon upon or about his person, other than an ordinary pocket knife, such person shall, upon indictment and conviction, be fined not less than fifty nor more than two hundred dollars, and imprisoned in the county jail for not less than thirty nor more than ninety days, in the discretion of the court or jury trying the case.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

§ 3. This act to take effect from its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to repeal so much of section 7, chapter 81, of the General Statutes, as makes the office of county surveyor and deputy county court clerks incompatible.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 7, of chapter 81, of the General Statutes, so far as it makes the offices of county surveyor and deputy clerk county court incompatible, be, and the same is hereby, repealed.

§ 2. This act shall take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act giving landlords liens on crops and other personal property of tenants.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. A landlord shall have a superior lien on the produce of the farm or premises rented, and all other personal property of the tenant or under tenant owned by him, after possession is taken under lease, except household furniture ; but such lien shall not be for more than one year, rent due or to become due, nor for any rent which has been due for more than one hundred and twenty days. But if any such property be removed openly from the leased premises, and without fraudulent intent, and not returned, the lien of the landlord shall be lost as to it, unless the same be asserted by proper procedure within fifteen days from the day of removal.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

§ 3. This act to take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to make it a misdemeanor for any person not twenty-one years of age to represent himself to a regular licensed saloon or coffee-house keeper to be twenty-one years or more of age, and obtain spirituous, vinous or malt liquors, and fixing punishment therefor

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. Any person not of the age of twenty one years, who shall represent himself to a licensed saloon or coffee-house keeper to be of or above the age of twenty-one years, and thereby obtain spirituous, vinous or malt liquors by the drink or otherwise, shall, upon indictment and conviction, be fined not less than five nor more than twenty five dollars for each offense, in the discretion of the court or jury trying the case.

§ 2. The statement made by the party named in section 1, and his conviction for and statement, shall not relieve the keeper of the saloon or coffee-house from indictment and conviction for

selling or giving spirituous, vinous or malt liquors to said minor.

§ 3. This act to take effect from its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act making it a misdemeanor for a person under twenty-one years of age to make a statement to a licensed keeper of a billiard or pool-room that he is of age, and be permitted to play upon his billiard or pool-tables, and fixing punishment therefor.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. Any person not of the age of twenty-one years, who shall state to a licensed keeper of a billiard or pool-room that he is twenty-one years of age or older, and be permitted to play billiards or pool in said room, shall, upon indictment and conviction, be fined not less than five nor more than twenty-five dollars, in the discretion of the court or jury trying the case.

§ 2. The statement made by the party named in section 1, and his conviction for such statement, shall not relieve the keeper of the billiard or pool-room from indictment and conviction, for permitting minors to play billiards or pool in their said rooms.

§ 3. This act to take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to provide for the trial and care of insane convicts.

Said bill reads as follows, viz :

WHEREAS, It appears that there is no law providing for the trial of convicts who may become insane while within the prison walls, and for remedy thereof,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That whenever the warden of the penitentiary at Frankfort or at Eddyville, believes that any convict is insane, he shall report such fact to the Governor of this Commonwealth, who shall at once notify the attorney for

the Commonwealth, if in the county wherein such prison is located; and if not, then the county attorney of said county, that there is a convict in such prison, reported to be insane, and that he, the said attorney, shall secure proper merit, and cause to be taken the convict before the proper tribunal for trial, and should he fail of conviction, he shall be returned at once to the warden of the prison, and kept by him as other convicts; but, in the event of conviction, then the said convict shall be placed in one of the asylums of the State, where he shall be treated for his malady, and the superintendent shall be notified of the fact that such person is a convict, and that he shall be securely kept until recovery. Whereupon he shall return the convict to the prison from whence he was taken, and the said convict shall then, unless pardoned or paroled, serve out his term of imprisonment, but no part of the time consumed by said convict in the asylum shall be computed as any part of his term, his term of service to be computed by actual number of days served within the prison walls, or on work under direction and control of the lessees or managers of the prison.

§ 2. That all proceedings had under this act, shall be conducted according to existing laws, except as are specially provided for in this act.

§ 3. The warden of the prison, from whence a prisoner is taken under a writ authorized by this act, shall note on the register of the prison the date upon which the convict was taken therefrom, and date of the return of said convict to the prison. The time between those two dates shall not be credited to the convict as heretofore stated, but the warden shall credit him (the convict), with the number of days allowed as good time to convicts; that is to say, the convict shall be allowed a credit of five days for each month while confined in the asylum.

§ 4. This act to take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act in regard to the reports of the decisions of the Court of Appeals.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That whereas, great confusion exists in the citation of the reports of the Court of Appeals, owing to several of the reporters having the same surname, and there being reports of the same name in other States and countries; and whereas, the citations of the reports by the name of the report-

ers is inconvenient. To remedy this evil, the several reports of said decisions may be cited as follows: Hughes Reports as volume one of Kentucky Reports; Sneed's Kentucky Decisions as volume two of Kentucky Reports; Hardin's Reports as volume three of Kentucky Reports; volumes one, two, three and four of Bibb's Reports as volumes four, five, six and seven respectively of Kentucky Reports; volumes one, two and three of A. K. Marshall's Reports as volumes eight, nine and ten of Kentucky Reports respectively; volumes one, two, three, four and five of Littell's Reports as volumes eleven, twelve, thirteen, fourteen and fifteen of Kentucky Reports; Littell's Select Cases as volume sixteen of Kentucky Reports; volumes one, two, three, four, five, six and seven of T. B. Monroe's Reports as volumes seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two and twenty-three of the Kentucky Reports respectively; volumes one, two, three, four, five, six and seven of J. J. Marshall's Reports as volumes twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty of Kentucky Reports respectively; volumes one, two, three, four, five, six, seven, eight and nine of Dana's Reports as volumes thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine of Kentucky Reports respectively; volumes one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen and eighteen of B. Monroe's Reports as volumes forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six and fifty-seven of Kentucky Reports respectively; volumes one, two, three and four of Metcalfe Reports as volumes fifty-eight, fifty-nine, sixty and sixty-one of Kentucky Reports respectively; volumes one and two of Duvall's Reports as volumes sixty-two and sixty-three of Kentucky Reports respectively; volumes one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen of Bush's Reports as volumes sixty-four, sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-three, seventy-four, seventy-five, seventy-six and seventy-seven of Kentucky Reports respectively.

§ 2. The State Librarian shall mark with proper labels all sets of said books belonging to the State and in his custody as above indicated, and shall furnish said labels free of cost to any officer of this State applying for same for any set of said reports in his custody belonging to the State. He will also sell said labels to any person desiring to buy them, at cost and thirty per cent. thereon.

§ 3. This act shall take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 22, article 1, Revised Statutes and Supplemental Act of March 30, 1880.

Asked to be discharged from the further consideration of said leave.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a first time.

The constitutional provision as to the first reading of said bill being dispensed with,

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 22, article 1, Revised Statutes and Supplemental Act, approved March 30, 1880, be so amended as to read as follows: That persons sentenced to suffer death shall be hung by the neck until dead, and the wardens and their deputies of the Kentucky penitentiaries, located at Frankfort and Eddyville, shall be the executioners, when any person shall be sentenced by any court of this State having competent jurisdiction, to be hanged by the neck until dead. Said court shall, at the same time, designate the day when said execution shall take place, and order the sheriff of his county to convey said person so sentenced to one of the penitentiaries of this State, but it shall be the penitentiary nearest and most convenient to his county, and place said person in the custody of said warden not less than five days before the day designated for his execution. Said death punishment shall only be inflicted within the walls of said penitentiary, within an enclosure to be prepared for that purpose, under the direction of the warden and the board of managers thereof. Said enclosure shall be higher than the gallows, and so constructed as to exclude public view. All executions of the death penalty by hanging shall take place according to the provisions of this act, and on the day designated by the court passing sentence, and before the hour of sunrise of said designated day. The warden executing the sentence shall receive for his services the sum of _____ dollars. Besides the warden and his deputies, the following persons and no others shall be present: Clergymen in attendance upon the prisoner; physician of the penitentiary and such assistants as he may desire, not exceeding three in number; such persons as the prisoner may designate, not exceeding five in

number; one reporter for each of the papers published within the State, and ten other persons who may be selected by the warden.

§ 2. This act shall take effect from and after its passage.

Mr. Roberts proposed to amend said bill as follows, viz:

“Amend by sending them all to the Eddyville penitentiary.”

Mr. Glenn moved to lay on the table said bill and the proposed amendment thereto.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Glenn and Terry, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John R. Kemp,	Ben F. Reynolds,
Reuben Conner,	William Lindsay,	G. Terry,
F. W. Darby,	J. W. Martin,	J. S. Wortham—11.
T. L. Glenn,	Charles Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	J. P. Huff,	Phil Roberts,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
Wm. Goebel,	John McCann,	D. W. Wright—21.

The question was then taken on the adoption of the amendment proposed by Mr. Roberts to said bill, and it was decided in the negative.

Mr. Pieratt proposed the following amendment to said bill, viz:

“By adding: *Provided*, That the State shall pay the expenses of conveying the body of the person executed back to the home of same if desired by the family or friends of the deceased, or if desired by the persons to be executed.”

Mr. Goebel proposed to amend said bill as follows, viz:

“Amend by providing that all expenses of the execution shall be paid by the Mason & Foard Co.”

Mr. May proposed to amend said bill as follows, viz :

“ *Provided*, The State pay all the expenses to and from the place of execution of the family of the person executed.”

Mr. Bradley moved that the further consideration of said bill and the proposed amendments thereto be indefinitely postponed.

Mr. McCain moved that said bill and the proposed amendments thereto be recommitted to the Committee on General Statutes.

Mr. Smith moved to lay on the table the amendment proposed by Mr. Goebel to said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	Phil Roberts,
F. W. Darby,	William Lindsay,	D. H. Smith,
T. L. Glenn,	J. W. Martin,	G. Terry,
William Goebel,	D. L. May,	J. S. Wortham—17.
J. B. Hannah,	Chas. Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
B. F. Cockrell,	J. W. McCain,	A. H. Stewart,
W. W. Dickerson,	John McCann,	D. W. Wright—17.
Sam E. English,	J. J. Paul,	

The Chair votes aye.

So said bill was rejected.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to incorporate the Trenton Rock Natural Gas, Mining and Manufacturing Company of Henderson county, Kentucky.

On motion of Mr. Terry—

2. A bill to amend an act, entitled “An act to establish a new charter for the town of Elkton, Todd county.”

On motion of Mr. Wright—

3. A bill for the benefit of Barclay, Potter & Co.

On motion of Mr. Pieratt—

4. A bill for the benefit of Common School District No. 20, Morgan county.

On motion of same—

5. A bill for the benefit of Common School District No. 43, Morgan county.

On motion of Mr. McCain—

6. A bill for the protection of the public health, by providing for the inspection of cattle, calves, sheep, lambs and swine intended for human food.

On motion of same—

7. A bill to amend section 3, article 8, of an act, entitled “An act to amend the revenue laws of the Commonwealth of Kentucky,” approved May 17, 1886.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on General Statutes the 2d; the Committee on Claims the 3d; the Committee on Education the 4th and 5th; the Committee on Courts of Justice the 6th, and the Committee on Revenue and Taxation the 7th.

Mr. Wortham, having on yesterday for the purpose of moving a reconsideration of the same, voted in the affirmative on the passage of a bill, which originated in the House of Representatives, entitled

An act to establish a criminal court in Marion county.

Asked to have his vote changed and recorded in the negative on the passage of said bill,

Which was granted.

Mr. Poyntz read and laid on the table the following joint resolution, viz:

WHEREAS, Through the public prints and in general comment, statements have been made to the effect that the Louisville Gas Company, a corporation chartered by the General Assembly of Kentucky, is openly, seriously and flagrantly vio-

lating many provisions of its charter; and, whereas, said provisions were embodied in the charter of the Louisville Gas Company for the protection of the citizens of Louisville; and, whereas, the said Louisville Gas Company in so openly, seriously and flagrantly violating such provisions, has forfeited its charter; and, whereas, it has been commonly rumored that the Louisville Gas Company has not kept faith with the city of Louisville in the quality of light furnished, or with its patrons in the price charged for fuel and other gas; and, whereas, It is a matter of public notoriety that the said gas company has attempted to interfere with the election of local and State officers by the illegal use of money;

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That a committee of five be appointed by the Senate, to act in conjunction with a like committee appointed by the Speaker of the House, to investigate the affairs of the Louisville Gas Company; to summon witnesses and swear the same; examine its books, and to be invested with full power to carry out the spirit of these resolutions, and report the result of such investigation to this body.

2. This resolution to take effect from and after its adoption.

The rule of the Senate requiring a joint resolution to lie on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

Mr. Darby moved the following resolution, viz:

Resolved by the Senate, That the Committee on Penitentiary and House of Reform be instructed to inquire into the justice and propriety of paying the three commissioners, H. B. Lyon, J. M. Thomas and Wilhite Carpenter, for services in the letting of contract and supervision of the construction of the branch penitentiary at Eddyville, and they will report by bill or otherwise.

Which was twice read and adopted.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives of a bill, which originated in the Senate, entitled

An act to re-incorporate the town of Maytown, Kentucky.

Which was granted, and the bill delivered to the messenger.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a board of commissioners for Owen county, and to define their duties;

An act to incorporate the Fox Creek and Mercer County Turnpike Road Company, in Anderson county ;

An act for the benefit of the East End Improvement Company ;

An act to incorporate the Greensburg Deposit Bank ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bank Josephine, of Prestonsburg, Kentucky ;

An act to provide and establish an additional voting place in the Fifth, known as the Bayou Precinct, in McCracken county ;

An act to amend an act, entitled "An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville ;"

An act to amend section 2, article 17, chapter 29, of the General Statutes ;

An act to prohibit any person in this Commonwealth from giving, selling or bartering cigarettes, or cigarette material, to any child under 18 years of age, or to others for their use, or to induce such children to use same, and providing penalties for the violation thereof ;

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act requiring banks to pay dividends in certain cases,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Commissioners of the Sinking Fund to make improvements in the penitentiary at Frankfort,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Commissioners of the Sinking Fund as *ex officio* directors of the penitentiary, be, and they are hereby, authorized and directed to enlarge the present dining-room of the prison; build and equip with necessary apparatus a suitable kitchen attached thereto, and convert the present chapel into a suitable room for a hospital, and refit the present hospital for a chapel, reading room and night school room for the use of the prisoners. They will advertise for bids, subject to plans and specifications submitted by an architect, and are authorized to contract with the lowest and best bidders for the buildings, changes, construction and repairs herein authorized: *Provided, however*, That the total expenditures for these purposes shall not exceed the sum of twelve thousand dollars (\$12,000.)

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,

F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	D. H. Smith,
Sam E. English,	D. L. May,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham,
William Goebel,	John McCann,	D. W. Wright—30.

Those who voted in the negative, were—

Reuben Conner, Phil Roberts, G. Terry—3.

Resolved, That the title of said bill be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to create the office of Inspector of Banks and Trust Companies, and to provide for the appointment of said Inspector, and define his powers and duties,

Reported the same, without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Dickerson—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act creating and establishing the office of State Bank Examiner, and prescribing his duties and defining his powers,

Reported the same, without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to create a board of commissioners for the purpose of

securing for use in the common schools in the Commonwealth of Kentucky of a series of text-books, defining the duties of certain officers therein named with reference thereto, defining certain misdemeanors, providing penalties for the violation of the provisions of said act, and repealing all laws in conflict with said act,

Reported the same without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Peterman—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed, and recommitted to the Committee on Education.

Mr. Peterman, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Colored Common School District No. 16, Todd county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, By oversight of the superintendent of common schools for Todd county, sixty-one (61) pupils of record in the original census report of Colored District No. 16 of said county, for the school year ending June 30, 1888, were omitted in the report to the Superintendent of Public Instruction; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Superintendent of Public Instruction is hereby authorized to draw his draft for the benefit of said school district for said school year, on the Auditor of Public Accounts, in favor of John A. Dorris, county superintendent of common schools of Todd county, for the sum of one hundred and thirty-five dollars and forty-two cents (\$135.42), payable out of the common school fund for the present school year ending June 30, 1890.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	G. Terry,
R. G. Hays,	John P. Newman,	J. S. Wortham,
J. B. Hannah,	Chas. Patteson,	D. W. Wright—32.
John K. Hendrick,	J. J. Paul,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act concerning the Treasury of Kentucky,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Thursday next, February 20th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 2, of article 4, chapter 12, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 2, of article 4, of chapter 12, of

the General Statutes, be amended by striking out of said section all that portion of same that comes after the words "called term," in second line of said section.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 5, article 2, chapter 16, General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 5, article 2, chapter 16, of the General Statutes, be, and the same is hereby, amended by striking out in line fourth the words "without any fee or charge therefor," and insert in lieu thereof, "without charging the State tax for affixing seals."

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 32, article 2, of chapter 39, of General Statutes, so far as the same applies to Hardin county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 32, article 2, of chapter 39, of the General Statutes, be amended by striking therefrom the last sentence thereof, to-wit : "Nor shall any such commissioner be appointed administrator," but this act shall only apply to Hardin county.

§ 2. This act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to extend the time for beginning in this State the location and construction of the line of the West Virginia & Iron-ton Railroad Company.

The Senate, according to order, took up for consideration a bill, entitled

An act to establish and maintain the Eastern Kentucky Normal School.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, A better grade of teachers is needed for the common schools of the State, in order to secure the best results from our system of popular education ; and, whereas, the diffusion of knowledge is the best means of preventing crime, and of maintaining the good name of the State ; and, whereas, the lack of the means of travel, the limited educational facilities, and the straightened circumstances of the people of the mountain counties of the State, prevent young men and women from securing the education and professional training necessary to prepare them for teaching in the common schools ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That there shall be established and maintained at or near the town of Jackson, in Breathitt county, an institution of learning, to be known as the Eastern Kentucky

State Normal School. The object of the said institution shall be the education and professional training of teachers for the common schools of this Commonwealth.

§ 2. In order to the establishment of the said Eastern Kentucky State Normal School, the Governor, by, and with the advice and consent of the Senate, shall, within thirty days after the passage of this act, appoint, from that section of the State in which said school is located, three competent persons as trustees, who shall, in themselves and their successors, constitute a perpetual body-corporate, with power to sue and be sued, plead be impleaded, and to hold in trust all funds and property which may be provided for said Normal School, and all funds and property which may be acquired by donation, gift or otherwise, and who shall be known and designated as the Board of Trustees of the Eastern Kentucky State Normal School. The Superintendent of Public Instruction shall be *ex officio* a member of said board.

§ 3. One member of the board of trustees shall retire, as may be determined by them by lot, in one year after their appointment; another in two years, and the remaining one in three years; whereupon the Governor shall immediately appoint as aforesaid their successors for a period of three years. All vacancies occurring by death or resignation shall be filled by appointment by the Governor.

§ 4. Said board shall hold their first meeting at the said town of Jackson, within thirty days after their appointment, and organize by electing one of their number as president, and another of their number as secretary, for a period of two years. At this or a subsequent meeting, they shall elect a suitable person outside of their number as treasurer, who, before entering upon his duties, shall give bond in such a sum as the said board may prescribe. The said treasurer shall receive a reasonable compensation, to be fixed by the said board, and to be paid out of the funds hereinafter appropriated for the maintenance of the said Normal School.

§ 5. Said board shall, at its first meeting, open books to receive from the citizens of Jackson and vicinity, proposals for donation of grounds and buildings, or funds for the procuring of grounds and erection of buildings for said Normal School. Said board shall locate said Normal School upon the site donated: *Provided*, That, in their opinion, it is in every respect a suitable location for said school: *And provided, further*, That no part of the price of said site shall be paid out of the funds hereinafter appropriated for the establishment and maintenance of said Normal School, or out of any funds in the State Treasury.

§ 6. Said board shall, immediately after the selection of a site, proceed to let the contract for the erection of suitable buildings, upon plans furnished by the Superintendent of Public Instruction: *Provided*, That no member of the said board be person-

ally interested, directly or indirectly, in such contract, or in furnishing any material for such building.

§ 7. The board of trustees shall prescribe the courses of study in said Normal School; may grant certificates of proficiency to persons completing the common school course; and grant diplomas with appropriate degrees to those pupils of the said Normal School who shall have studied therein not less than twenty months in addition to the completion of a common school course, and who shall have passed the required examinations.

§ 8. The said board shall select a principal and instructors for said Normal School, fix their salaries, and determine the conditions subject to the limitations hereinafter contained, upon which pupils may be admitted to the privileges of the said Normal School.

§ 9. All white persons, between the ages of fifteen and thirty years, who are residents of this State, shall be entitled to attend the said Normal School free of tuition: *Provided*, They give satisfactory evidences of good moral character, sign a written obligation to teach in the State for as long a period as that during which they receive free tuition, and subscribe to such other conditions as the board of trustees may prescribe. The said board shall fix the rate of tuition, and the conditions upon which pupils who are not residents of Kentucky, or are not within the prescribed age, may be admitted to the privileges of the said Normal School.

§ 10. No sectarian tenets shall be taught in the said Normal School, but a high standard of Christian morality shall be observed in its management, and, as far as possible, inculcated into the minds of the pupils.

§ 11. The board of Trustees shall make a biennial report to the General Assembly, setting forth the financial and scholastic condition of the said Normal School, and making such suggestions as, in their judgment, will improve the same. In the years in which the General Assembly is not in session the said trustees shall report to the Governor.

§ 12. The Superintendent of Public Instruction shall visit the said Normal School at least twice each year, during the autumn and spring terms, witness the exercises, and otherwise inspect the condition of the school.

§ 13. The sum of four thousand dollars (\$4,000) shall be annually appropriated out of the State Treasury to pay the principal and the instructors, and defray other necessary expenses in the maintenance of the said Normal School. The sum of ten thousand dollars (\$10,000) is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, for the erection of buildings for the said Normal School. These moneys shall be paid out of the State Treasury only upon the warrant of the Auditor, drawn on an order of the board of trustees.

§ 14. The members of the board of trustees shall receive their actual necessary traveling expenses while engaged in performing their duties herein prescribed, to be paid out of the annual appropriation for the maintenance of the said Normal School: *Provided*, That for the first year of their appointment their aggregate expenses shall not exceed three hundred dollars (\$300), and thereafter their aggregate expenses shall not exceed (\$150) per annum.

§ 15. This act shall take effect from and after the day of its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	J. S. Wortham,
William Goebel,	John P. Newman,	D. W. Wright—35.
R. G. Hays,	Chas. Patteson,	

In the negative—G. Terry—1.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

An act prescribing the duties of Fiduciaries.

Mr. Dickerson proposed an amendment to said bill.

On motion of Mr. Hendrick—

Ordered, That the further consideration of said bill and proposed amendment be postponed until a call of the committees was had.

Mr. Wortham, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to fix the time when officers' resignations shall take effect.

Reported the same, without amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That hereafter all resignations of officers shall take effect and be complete when the court or officer authorized to accept said resignation, accepts the same, and orders it recorded in the proper office.

§ 2. This act shall take effect after its passage.

Mr. Dickerson moved to amend said bill by striking out the word "accepts," after the word "resignation," in the first section of said bill, and insert in lieu thereof the word "receives."

Mr. Lindsay moved that said bill and proposed amendment be indefinitely postponed.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Huff and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Lindsay,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
R. J. Breckinridge,	J. W. Martin,	Chas. B. Poyntz,
F. W. Darby,	D. L. May,	B. F. Reynolds,
W. W. Dickerson,	John P. Newman,	Phil Roberts,
William Goebel,	Chas. Patteson,	J. H. Shearer,
J. B. Hannah,	J. J. Paul,	D. H. Smith—21.

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
B. F. Cockrell,	John K. Hendrick,	G. Terry,
Reuben Conner,	J. P. Huff,	J. S. Wortham,
Sam E. English,	John R. Kemp,	D. W. Wright—12.

So said bill was rejected.

Mr. English, from the Committee on Internal Improvements, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution in relation to the improvement of the Kentucky river,

Reported the same, without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. English, from the Committee on Internal Improvements, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the Middlesborough Water Company,
Reported the same with an amendment.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham moved that the session of the Senate be extended until 1:15 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

In pursuance of a joint resolution heretofore adopted by the two Houses, providing for the raising of a joint committee to investigate the Mason & Foard Company, the Speaker announced the appointment of Messrs. Dickerson, McCain and Shearer such committee on the part of the Senate.

The Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act to call a convention,

Reported the same, with an amendment.

Mr. Lindsay and Mr. Smith, representing the minority of said committee, reported sundry amendments to said bill.

Mr. Hendrick moved that the further consideration of said bill and proposed amendments be postponed, and that said bill be made the special order of the day for Tuesday next, February 18th, at 11 o'clock A. M., and from day to day until disposed of.

Pending the consideration of which, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

SATURDAY, FEBRUARY 15, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act prohibiting the sale of spirituous, vinous and malt liquors within two miles of Monroe's church or chapel, in Barren county.

An act to incorporate the Winchester Female College.

An act to authorize the people of Russell county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county.

An act to change the boundary line of Lee and Owsley counties.

An act to authorize the State to furnish certain officers in the county of Leslie with reports of the Court of Appeals and Acts of the General Assembly.

An act to amend an act to incorporate the town of Drakesboro, in Muhlenberg county.

An act to prevent trespassing on real estate in the county of Boone.

An act to amend the charter of the town of Stephensport, in Breckinridge county.

An act to amend the charter of the Bagdad Cemetery Company, of Shelby county.

An act to declare Coffee's Creek, Williams' Fork and Middle Fork, of the Elk Fork, navigable.

An act to authorize the Daviess County Court to sue and convey the pauper burying-ground belonging to said county.

An act for the benefit of Jacob Nall, of Webster county.

An act to declare Caney Fork, of Middle creek, a navigable stream.

An act to declare Sawder's creek, in Floyd county, a navigable stream.

An act to amend an act, entitled "An act levying and imposing a tax on dogs of Boone county, and providing for its collection and appropriation to the payment of losses by the owners of sheep in said county, occasioned by dogs killing and injuring sheep.

An act to change the boundary of the town of Winchester.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to repeal section 13, of chapter 84, of the General Statutes, entitled "Peddlers," so far as the same applies to Mason and Lewis counties.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county.

An act to incorporate the town of Maytown, Morgan county.

With an amendment to the last-named bill.

By unanimous consent, Mr. Lunsford reported a bill, entitled

An act to create a new voting precinct at Crabtree mines, in Hopkinsville.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

By unanimous consent, Mr. Wortham reported a bill, entitled

An act for the benefit of G. H. Gardner, late sheriff of Grayson county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Hays reported a bill, entitled

An act to incorporate the Trenton Rock Natural Gas, Mining and Manufacturing Company, of Henderson county, Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, entitled

An act prescribing the duties of Fiduciaries,

On motion of Mr. Breckinridge—

Ordered, That the further consideration of said bill be postponed one-half hour.

A message in writing was received from the Governor by Mr. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 15, 1890. }

Gentlemen of the Senate:

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto:

F. F. Carr, Morgan county.

Moses Dinkelspiel, Jr., Jefferson county.

John E. DuBoise, Warren county.

Thos. C. Enos, Jefferson county.

Alex. Falconer, Jefferson county.
B. Whitney Herr, Jefferson county.
R. A. Jewell, Hickman county.
S. W. Kirby, Daviess county.
James McGrain, Jefferson county.
W. H. Milby, Green county.
Chas. L. Monsch, Jefferson county.
S. W. Needham, Menefee county.
Frank A. Owen, Webster county.
T. A. Pedly, Daviess county.
Chas. H. Rodes, Boyle county.
W. I. Samuels, Nelson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the town of Josephine, in Scott county.

An act to amend an act, entitled "An act to authorize the court of levy and claims of Menefee county to levy an ad valorem tax for county purposes," approved March 24, 1888.

An act to amend the charter of the town of Sandy Hook, in Elliott county.

An act to authorize the city of Dayton, in Campbell county, to issue bonds and refund its present indebtedness.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act to fix the time in which certain corporations created by special enactment shall organize and commence corporate business.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act to amend and to reduce into one the several acts concerning the town of Georgetown," approved March 6, 1880.

By same—

An act to repeal an act, entitled "An act to incorporate the town of Clarkson, in Grayson county," approved May 1, 1888.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend the charter of the town of Petersburg, in Boone county, extending the boundary limits of said town, and grant additional powers.

By same—

An act to legalize the leasing of certain turnpike roads, in Gallatin county.

By same—

An act to amend the charter of the town of Warsaw, in Gallatin county.

By same—

An act to prevent hogs from running at large in the county of Bullitt, and to provide a penalty therefor.

By same—

An act to incorporate the American Bank, Trust and Guarantee Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

30—s.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to call a convention.

Mr. Breckinridge moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday, February 27, 1890, at 12 o'clock M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	Phil Roberts,
R. J. Breckinridge,	William Lindsay,	J. H. Shearer,
Sam E. English,	D. L. May,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham,
J. B. Hannah,	J. J. Paul,	D. W. Wright—19,
John K. Hendrick,		

Those who voted in the negative, were—

B. F. Cockrell,	J. W. McCain,	B. F. Reynolds,
Reuben Conner,	John McCann,	D. H. Smith,
F. W. Darby,	J. M. Pieratt,	A. H. Stewart—11.
J. H. Lunsford,	Chas. B. Poyntz,	

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Winchester Bank, of Winchester ;

An act to incorporate the Farmers' Savings Bank, of Lewisport ;

An act to amend the charter of the Northern Bank of Kentucky ;

An act to incorporate the Hebron Church Cemetery Company ;

An act to amend an act, entitled "An act to incorporate the Bank of Murray, Calloway county ;"

An act to incorporate the Equitable Trust and Banking Company ;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to authorize the city of Lexington to make a donation in land and money, or its equivalent, in order to secure the location at or near said city of the machine shops of the Elizabethtown, Lexington & Big Sandy Railroad Company, and to ratify and legalize an ordinance of said city, and the election held thereunder in reference to said donation ;

An act extending and fixing the boundary of Morgantown, Kentucky, in Butler county ;

Resolution requesting our Senators and Representatives in Congress to favor an appropriation for the improvement of the Cumberland and Tennessee rivers ;

Resolution of respect and sympathy extended Hon. Ben F. Tracy, Secretary of the Navy.

Resolution of respect to the memory of Hon. J. M. Bigger ;
And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act prescribing the duties of Fiduciaries.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That it shall be lawful for persons or corporations, holding funds in a fiduciary capacity for loan or investment, to invest same in real estates, mortgage notes or bonds, or in such other interest-bearing or dividend-paying securities as are regarded by prudent business men as safe investments, and to make loans with such securities as collateral : *Provided,* That such funds shall not be loaned upon personal security alone, or be invested in the bonds or securities of any railroad or other corporation, unless such railroad or other corporation has been in operation more than five (5) years, and during that time has

not defaulted in the payment of principal or interest on its bonded debt, or in the bonds of a county, town or city, that within ten (10) years has defaulted in the payment of the interest or principal of its bonded debt.

§ 2. That all persons or corporations holding stocks, bonds or other securities, in a fiduciary capacity, shall have power to sell and transfer the same, whenever, in the judgment of such fiduciary, such sale will benefit the trust estate, and reinvest the proceeds, as in "section 1" of this act authorized. A purchaser in good faith for value from such fiduciary shall not be bound to look to application of the proceeds of sale, nor shall a corporation in which stock held by a fiduciary is sold as herein authorized be liable for transferring such stock on its books upon the order of such fiduciary.

§ 3. Nothing in this act shall be construed to permit a sale, investment, or loan, in conflict with the provisions of the will, deed or other instrument creating the trust, or under which the funds or property may be held.

§ 4. That the act, approved March 6, 1884, entitled "An act to amend section 19, article 2, of chapter 48, of the General Statutes," and all other acts or parts of acts in conflict herewith be, and the same are hereby, repealed.

§ 5. This act shall take effect from its passage.

Mr. Dickerson had heretofore proposed to amend said bill as follows, viz :

Amend by inserting after the word "authorized," where it occurs in section 2, and before the words "a purchaser," the following words, viz : *Provided*, That no administrator or executor shall sell any dividend-paying stocks, bonds or other security which the decedent owned at his death, until so ordered by a court of general equity jurisdiction in the county where letters of administration were granted, or the will recorded, and the court, or in vacation the judge thereof, may, upon the *ex parte* petition of said fiduciary, make said order whenever it is necessary to raise funds to pay the debts of decedent, or where said court or judge may, in his discretion, deem necessary for the protection of the estate or the interest of the beneficiary.

And the question being taken on the adoption of said proposed amendment, it was decided in the affirmative.

Mr. Darby proposed to amend said bill as follows, viz :

Amend section 2, by inserting after the words "fiduciary capacity," where same first occurs in said section, the following words, viz : "For loan or investment."

And the question being taken thereon, it was decided in the affirmative.

Mr. Breckinridge proposed to amend said bill as follows, viz :

Strike out "5," in line 12, of section 1, and insert in lieu thereof the word "ten."

Mr. Kemp moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Breckinridge to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	John P. Newman,
Reuben Conner,	John R. Kemp,	J. J. Paul,
F. W. Darby,	William Lindsay,	A. L. Peterman,
T. L. Glenn,	D. L. May,	B. F. Reynolds,
R. G. Hays,	J. W. McCain,	D. H. Smith,
J. B. Hannah,	John McCann,	D. W. Wright—19.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	J. M. Pieratt,	G. Terry,
R. J. Breckinridge,	Chas. B. Poyntz,	J. S. Wortham—7.
B. F. Cockrell,		

Resolved, That the title of said bill be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to incorporate the Henderson Fire Insurance Company.

On motion of Mr. Hendrick—

2. A bill to amend the law as to the distribution of insolvent estates.

On motion of Mr. Newman—

3. A bill regulating expenditures for indexing and copying books in the Jefferson county clerk's office.

On motion of Mr. Martin—

4. A bill to authorize the county court of Butler county to appropriate money for the purpose of detecting and prosecuting the murderers of Granville Gray, in Butler county.

On motion of Mr. Hannah—

5. A bill for the benefit of Squire Hogg, sheriff of Rowan county.

On motion of same—

6. A bill to incorporate the Bank of Ashland.

On motion of same—

7. A bill to establish two voting places in District No. 5, in Elliott county.

On motion of Mr. Stewart—

8. A bill to amend an act, entitled "An act to amend chapter 29, of the General Statutes, entitled 'Crimes and Punishments,' " approved April 10, 1878, so far as the same applies to Perry, Leslie, Harlan and Clay counties.

On motion of same—

9. A bill to increase the jurisdiction of the quarterly court of Pike county.

On motion of Mr. Wortham—

10. A bill, entitled "An act to incorporate the Leitchfield, Shrewsburg and Southwestern Railway Company."

On motion of Mr. Paul—

11. A bill, entitled "An act for the benefit of John P. Nunnelly, of Pulaski county."

On motion of Mr. Lindsay—

12. A bill to incorporate the Kentucky and Southeastern Kentucky Railway Company.

On motion of Mr. Wortham—

13. A bill to amend an act, entitled "An act to re-incorporate and amend the laws for the town of Campbellsville, Taylor county," approved March 19, 1888.

On motion of Mr. Wright—

14. A bill to prevent deception in sales of vinegar, and providing a penalty therefor.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st and 6th; the Committee on the Judiciary the 2d; the Committee on Courts of Justice the 3d, 4th and 9th; the Committee on Claims the 5th; the Committee on Propositions and Grievances the 7th; the Committee on General Statutes the 8th, 11th and 13th; the Committee on Railroads the 10th and 12th, and the Committee on Public Health the 14th.

Mr. Poyntz moved that a committee be appointed on the part of the Senate, to withdraw from the House of Representatives, the announcement of the adoption by the Senate of a resolution, which originated in the Senate, entitled

Resolution providing for an investigation of the Louisville Gas Company.

And the question being taken thereon, it was decided in the affirmative.

Whereupon the Speaker appointed Mr. Poyntz said committee.

A message was received from the House of Representatives, announcing that they had concurred in a resolution adopted by the Senate, entitled

Resolution providing for an investigation of the Louisville Gas Company,

With an amendment thereto.

Mr. Poyntz, from the committee appointed to withdraw the announcement of the adoption by the Senate of the aforesaid resolution from the House of Representatives, reported his inability to perform that duty, because said resolution was not in the possession of the House of Representatives when he announced the request of the Senate to them, and asked for its withdrawal.

Mr. Newman moved to reconsider the vote by which the Senate had appointed a committee with directions to withdraw from the House of Representatives the announcement of the adoption by the Senate of a resolution, which originated in the Senate, entitled

Resolution providing for an investigation of the Louisville Gas Company.

And the question being taken thereon, it was decided in the negative.

Mr. Breckinridge read and laid on the table the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the present session of the General Assembly be extended beyond the constitutional limit of sixty days.
2. This resolution to take effect from its adoption.

Which, under the rules, lie one day on the table.

Mr. Breckinridge moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. W. Martin,	Ben F. Reynolds,
Reuben Conner,	D. L. May,	Phil Roberts,
F. W. Darby,	J. W. McCain,	J. H. Shearer,
Sam E. English,	John McCann,	A. H. Stewart,
T. L. Glenn,	Charles Patteson,	G. Terry,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—28.
John K. Hendrick,		

Those who voted in the negative, were—

Wm. Goebel,	D. H. Smith,	D. W. Wright—4.
J. H. Lunsford,		

The question was then taken on the adoption of said resolution, and it was decided in the negative, for want of the constitutional two-thirds majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution; were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	Phil Roberts,

F. W. Darby,
Sam E. English,
T. L. Glenn,
J. B. Hannah,

J. W. Martin,
Chas. Patteson,
J. J. Paul,
A. L. Peterman,

A. H. Stewart,
A. H. Stewart,
G. Terry,
J. S. Wortham—24.

Those who voted in the negative, were—

B. F. Cockrell,
R. G. Hays,
J. H. Lunsford,

D. L. May,
J. W. McCain,
John McCann,

D. H. Smith,
D. W. Wright—8.

So said resolution was rejected.

Mr. McCain moved to reconsider the vote by which the Senate rejected said resolution:

Which motion was simply entered.

Mr. Newman requested the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the Senate, entitled

An act to incorporate the People's Savings Bank and Trust Company, of Newport, Campbell county.

Which was granted.

Whereupon the Speaker appointed Mr. Newman said committee on the part of the Senate.

After a short time, Mr. Newman, from said committee, reported that the committee had performed that duty, and said bill had been delivered into the possession of the House of Representatives.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of the passage of said bill by the House of Representatives,

Which was granted, and the bill delivered to the messenger.

Mr. Newman asked the appointment of a committee on the part of the Senate, to withdraw from the House of Representatives, the announcement of the passage of said bill by the Senate,

Which was granted.

Whereupon the Speaker appointed Mr. Newman said committee.

After a short time, Mr. Newman, from said committee,

reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Newman moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Newman proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman moved that when the Senate adjourns, it be to meet on Tuesday next, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	J. M. Pieratt,
Sam E. English,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	John McCann,	Phil Roberts,
R. G. Hays,	John P. Newman,	D. H. Smith,
John K. Hendrick,	Chas. Patteson,	J. S. Wortham—20.
J. P. Huff,	J. J. Paul,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
B. F. Cockrell,	J. W. Martin,	G. Terry,
Reuben Conner,	J. W. McCain,	D. W. Wright—11.
J. B. Hannah,	B. F. Reynolds,	

Mr. Poyntz moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. P. Huff,	Phil Roberts,
F. W. Darby,	J. J. Paul,	J. H. Shearer,
T. L. Glenn,	B. F. Reynolds,	D. W. Wright—10.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	C. B. Poyntz,
B. F. Cockrell,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry,
R. G. Hays,	John McCann,	J. S. Wortham—20.
J. B. Hannah,	Chas. Patteson,	

The Senate, according to order, took up for consideration a bill, entitled

An act to remove the capitol and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings at Hamilton Place.

Mr. Bradley moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Berry moved that the Senate do now adjourn.

Pending the roll-call on which question, the hour of one o'clock P. M. having arrived, the Senate adjourned.

TUESDAY, FEBRUARY 18, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the American Bank, Trust and Guarantee Company.

An act to incorporate the Farmers' Bank, of Murray, Callo-way county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to repeal section 9 of an act, approved March 20, 1876, entitled "An act to regulate the civil jurisdiction of justices' of the peace, police judges and quarterly courts and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks, in so far as said section applies to Union county."

An act to incorporate the Mt. Sterling Fair Association.

An act to provide for the incorporation of Young Men's Christian Associations of the State of Kentucky.

An act to incorporate the State Executive Committee of the Young Men's Christian Associations of the State of Kentucky.

An act to amend the charter of the Evergreen Cemetery Company, of Newport, Kentucky.

An act to incorporate the Somerset Water Company.

An act to incorporate the Middlesborough Water Company.

An act to legalize certain acts of J. E. Dawson, done as deputy county court clerk of Daviess county.

An act for the benefit of J. C. Willim, sheriff of Lewis county.

An act to incorporate the Louisville Dime Savings Company.

An act for the benefit of Pewee Valley Hotel Company.

An act to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

An act to amend an act, approved May 2, 1888, entitled "An

act to amend an act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, and the several amendments thereto.

With amendments to the four last-named bills.

That they had passed bills and adopted a joint resolution of the following titles, viz :

1. An act to incorporate the Royal Gas Company.
2. An act to incorporate the Keystone Natural Gas Company.
3. An act to incorporate the Climax Gas Company.
4. An act to incorporate the town of Burnside, Pulaski county, Kentucky.
5. An act to incorporate the Calloway County Agricultural Association.
6. An act to amend section 8, chapter 457, Acts of 1883 and 1884, incorporating town of Olive Hill.
7. An act to incorporate the Covington Trust Company.
8. An act to prevent marriages of first cousins in this Commonwealth.
9. An act to incorporate the Kentucky Drilling Company.
10. An act to incorporate and amend the laws for the town of Sharpsburg, Bath county.
11. An act to incorporate the Beattyville Street Railway Company.
12. An act to amend the charter of Cabin Creek, East Fork and Concord Turnpike Road Company.
13. An act for the benefit of Washington county, by which the Washington County Court is authorized to lease the turnpike roads in said county, purchase the stock of any stockholder in any turnpike company, and manage and control said turnpikes and make the same free for travel.
14. An act for the benefit of Washington county, by which said county is authorized to fund its outstanding railroad debt.
15. An act to incorporate the town of Yelvington, in Daviess county.
16. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882.

17. An act to change the limits of the town of Winchester.

18. An act to incorporate the Owensboro Insurance Company.

19. An act to incorporate the town of Corbin, in Whitley county, Kentucky.

20. An act to amend, digest and reduce into one all the acts and laws in relation to the town of Barbourville.

21. An act to amend an act, entitled "An act to incorporate the Trustees of the First Presbyterian Church, of Louisville," approved February 21, 1880.

22. An act creating the office of Inspector of Buildings for the city of Louisville.

23. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Calhoon,' approved March 4, 1872," approved March 7, 1873.

24. An act to amend an act, entitled "An act to incorporate the town of Rosine, in Ohio county, Kentucky," approved March 16, 1873.

25. An act to amend an act, entitled "An act to incorporate the Lexington Hydraulic and Manufacturing Company," approved February 27, 1882.

26. An act to incorporate the Fayette Land Company, of Fayette county, Kentucky.

27. An act to incorporate the Deposit Building and Loan Association of Lexington.

28. An act to incorporate the Gibson Lodge No. 553, of Free and Accepted Masons.

29. An act to amend an act, entitled "An act to incorporate the Henderson Trust Company," approved March 13, 1886.

30. An act for the benefit of Wolford Lodge No. 68, I. O. O. F.

31. An act to amend an act, entitled "An act to incorporate the Kaiser Karlder Grosse Benevolent Society, of the city of Louisville."

32. An act to incorporate the Gardnersville Cemetery Company, in Pendleton county.

33. An act to incorporate the Jackson Building and Loan Association.

34. An act to incorporate the Frankfort Masonic Temple Company.

35. An act to incorporate and consolidate the Lebanon Electric Light Company and the Lebanon Artificial Ice Company, under the name of the Lebanon Electric Light and Ice Company.

36. An act to regulate the civil jurisdiction of the police court of the town of Springfield, Washington county.

37. An act to authorize the Washington County Court to levy an ad valorem tax for county purposes.

38. An act to legalize the order of the Washington County Court, entered at its October term, 1889, levying an ad valorem tax of ten cents on each one hundred dollars' of the taxable property of said county.

39. An act for the benefit of J. W. Baird, sheriff of Simpson county, allowing him further time to execute bond.

40. An act to prevent trespassing on lands in Jessamine county.

41. An act empowering the municipalities in Campbell county to regulate the observance of Sunday therein.

42. An act to amend an act, entitled "An act to authorize the Carroll County Court to take stock in turnpike roads in said county, and the amendments thereto."

43. An act providing for the extinguishment of the funded debt of the city of Louisville.

44. An act to incorporate the town of Alvaton.

45. An act to further regulate municipal elections in the city of Covington.

46. An act to empower and authorize the city of Bowling Green to issue \$20,000 of public improvement bonds.

47. An act to amend an act to revise and amend the charter of the city of Bowling Green, approved January 2, 1882.

48. An act to punish certain trespassing in the counties of Bracken, Mason, Harrison, Grant and Scott.

49. An act for the benefit of the married women in this Commonwealth.

50. An act to authorize William Carter, of Caldwell county, to solemnize marriage in said county.

51. An act for the benefit of Johnnie Thomas, of Fleming county.
52. An act to amend an act, entitled "An act to incorporate the Greenwood and Massey's Mill Turnpike Company."
53. An act to amend an act, entitled "An act to incorporate the town of Pleasant Home, in Owen county," approved March 26, 1888.
54. An act to empower the city of Vanceburg, to condemn land to widen certain streets and alleys in said city, and to issue its bonds and levy a tax to pay for such improvement.
55. An act for the benefit of Jacob H. Simpson.
56. An act for the benefit of Washington county.
57. An act to incorporate the city of Middlesborough, in Bell county, Kentucky.
58. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of New Columbus, in Owen county,' " approved February 23, 1874, and all subsequent amendments thereto.
59. An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.
60. An act to incorporate the Board of Trustees of the Kentucky Universalist Convention.
61. An act to incorporate the Central Contract Company.
62. An act to incorporate the Cartwright Spring Wagon Works.
63. An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886.
64. An act authorizing the trustees of the town of South Louisville, to issue \$50,000 of bonds of said town for municipal purposes.
65. An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886.
66. An act to incorporate the Home for Friendless Women, located at Louisville, Kentucky.
67. An act to incorporate Breathitt Lodge, U. D., F. and A. M., of Breathitt county.
68. An act to incorporate the Keene Cemetery Company, in Jessamine county.

69. An act to amend an act, entitled "An act to incorporate the Lincoln County Building and Savings Association."

70. An act to incorporate Union Encampment No. 70, Independent Order of Odd Fellows, of Paducah.

71. Resolution urging the passage of a bill by Congress for the benefit of the Big Sandy river.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—The 1st, 2d, 3d, 9th, 12th, 22d, 52d, 63d, 64th and 65th to the Committee on Internal Improvements; the 4th, 6th, 19th, 23d, 24th, 40th, 53d, 55th and 58th to the Committee on Propositions and Grievances; the 5th, 10th, 16th, 17th, 25th, 26th, 48th and 62d to the Committee on Agriculture and Manufactures; the 7th, 13th, 14th, 15th, 31st, 35th, 36th, 37th, 38th, 41st, 54th, 56th and 66th to the Committee on Courts of Justice; the 8th, 45th, 49th, 51st and 57th to the Committee on the Judiciary; the 11th to the Committee on Railroads; the 18th, 27th, 29th, 33d, 59th and 69th to the Committee on Banks and Insurance; the 20th and 50th to the Committee on Codes of Practice; the 21st, 28th, 30th, 32d, 60th, 67th, 68th and 70th to the Committee on Religion and Morals; the 39th, 42d, 43d, 44th, 46th, 47th and 61st to the Committee on General Statutes; the 71st, the resolution, to the Committee on Federal Relations, and the 34th-named bill was ordered to be placed in the orders of the day.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to consolidate and reduce into one the several acts in relation to the town of Taylorsville."

An act to provide and establish an additional voting place in the Fifth, known as the Bayou Precinct, in McCracken county.

An act to prohibit any person in this Commonwealth from giving, selling or bartering cigarettes, or cigarette material, to any child under 18 years of age, or to others for their use, or to

induce such children to use same, and providing penalties for the violation thereof.]

An act to amend section 2, article 17, chapter 29, of the General Statutes.

An act extending and fixing the boundary of Morgantown, Kentucky, in Butler county.

An act to authorize the city of Lexington to make a donation in land and money, or its equivalent, in order to secure the location at or near said city of the machine shops of the Elizabethtown, Lexington and Big Sandy Railroad Company, and to ratify and legalize an ordinance of said city, and the election held thereunder in reference to said donation.

Resolution requesting our Senators and Representatives in Congress to favor an appropriation for the improvement of the Cumberland and Tennessee rivers.

Joint resolution of respect to the memory of Hon. J. M. Bigger.

Resolution of respect and sympathy extended Hon. Benjamin F. Tracy, Secretary of the Navy.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read, as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE OFFICE, }
FRANKFORT, February 18, 1890. }

Gentlemen of the Senate :

The Treasurer of the State having tendered his resignation, which has been accepted to take effect on the appointment and qualification of his successor, I hereby nominate, and by and with the advice and consent of the Senate, will appoint Henry S. Hale, of Graves county, Treasurer of the State for the unexpired term of the present incumbent.

Respectfully,

S. B. BUCKNER.

Ordered, That said nomination be referred to the Committee on Executive Affairs.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 18, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Alexander Anderson, Boyle county.
J. W. Bohannon, Franklin county.
A. T. Bourtware, Jefferson county.
I. S. Cralle, Jefferson county.
J. N. Clemens, Livingston county.
Charlie Crondus, Marion county.
J. H. Dempsey, Daviess county.
R. H. Gray, Kenton county.
E. L. Hutchinson, Fayette county.
G. R. Harms, Campbell county.
W. C. Johnson, Fulton county.
Jos. W. Nichols, Jefferson county.
B. W. Penick, Green county.
S. H. Perkins, Todd county.
J. W. Richardson, Pulaski county.
N. S. Roark, Henderson county.
J. M. Riffe, Lawrence county.
Kilian H. Seng, Jefferson county.
P. H. Vaughn, Lawrence county.
Scott Walker, Cumberland county.
W. J. Webb, Graves county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

The Senate, according to order, took up for consideration a bill, entitled

An act to remove the capitol and seat of Government from Frankfort to Hamilton Place, in Scott county, and to provide for the erection of public buildings at Hamilton Place.

(For bill, see Senate Journal, January 25, 1890.)

Mr. Bradley moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	John P. Newman,	G. Terry,
G. W. Gates,	A. L. Peterman,	J. S. Wortham,
William Goebel,	Chas. B. Poyntz,	D. W. Wright—20.
John K. Hendrick,	B. F. Reynolds,	

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	J. M. Pieratt,
R. G. Hays,	J. W. Martin,	J. H. Shearer—6.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Goebel,	Phil. Roberts,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	J. W. Martin,	A. H. Stewart,
Sam E. Engilsh,	C. B. Poyntz,	G. Terry,
G. W. Gates,	B. F. Reynolds,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
T. L. Glenn,	D. L. May,	J. M. Pieratt,
R. G. Hays,	J. W. McCain,	J. H. Shearer,
J. B. Hannah,	John P. Newman,	J. S. Wortham—16.
John K. Hendrick,		

So said bill was rejected.

The Speaker laid before the Senate the response of the Auditor, to a resolution of the Senate, calling on him for information as to the amount paid attorneys, and other than the regular and *pro tem.* Commonwealth Attorneys in the last four years, for professional services rendered the Commonwealth of Kentucky.

Said response was taken up and read, as follows, viz :

STATE OF KENTUCKY,
OFFICE OF AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, KY., February 17, 1890. }

Hon. JAMES W. BRYAN, Speaker of the Senate :

SIR: I have the honor to submit herewith the names of the attorneys, other than the Attorney-General and regular *pro tem.* Commonwealth Attorneys, to whom any sums have been paid within the last four years for professional services rendered the Commonwealth of Kentucky, in what action or proceedings said sums were paid for such services, and the amount paid to each attorney so engaged, for his services in each action or proceedings in which he served the Commonwealth, in accordance with the resolution of the Senate, bearing date of February 6, 1890. I have the honor to remain your obedient servant,

L. C. NORMAN, *Auditor.*

Brown, Humphrey & Davie, and Helm and Bruce, City of Louisville vs. J. D. Barbour, 10 per cent. on amount involved, \$5,000.

Alvin Duvall, attorney's fees in lower courts and Supreme Court United States, in case Commonwealth vs. Cincinnati, New Orleans & Texas Pacific Railway Company, Chesapeake & Ohio & Southwestern Railroad, and Louisville & Nashville Railroad Company, \$5,000.

James P. Helm, Rosenbaum vs. Commonwealth, druggist's license-over the State, 10 per cent., \$3,000.

S. T. Spalding, attorney's fees in case W. C. Hill vs. T. B. Spalding, sheriff of Marion county, test the constitutionality of the law creating the Equalization Board, \$600.

J. P. Knott, attorney's fees, Hatfield and McCoy cases in the United States Circuit Court, \$5,000.

W. B. Fleming and Helm & Bruce, attorneys fees, Knights of Honor Temple Company and Masonic Temple Company vs. Wm. Clark, sheriff Jefferson county, Law and Equity, Chancery and Court of Appeals (per cent.), \$2,150.

J. P. Knott, attorney's fees (part), in case Indiana vs. Kentucky, in violating title to Green River Island, \$200.

R. H. Cunningham, attorney's fee in same case, \$500.

T. H. Hines, attorneys fees, Commonwealth vs. J. W. Tate and others, \$1,000.

W. B. Fleming and Helm & Bruce, attorneys, five tax cases, \$300 each; Commonwealth vs. W. B. Belknap; Commonwealth vs. Avery & Son; Commonwealth vs. Neale, Keath & Barlow; Commonwealth vs. Meikle Plow Co.; Commonwealth vs. Wm. Cornwall, Law and Equity and Superior Court, \$1,500.

Helm & Bruce, attorney's fees, Commonwealth vs. Adams Express Company, Jefferson Circuit Court and Court of Appeals, \$500.

Powers & Miller, attorney's fees, Hancock Circuit Court, Keown and Sureties vs. W. H. Lyon, sheriff Hancock county, \$250.

A. Duvall, attorney's fees for legal advice upon the law in regard to leasing convict labor, \$1,000.

H. P. Whittaker, attorney's fees in case Commonwealth vs. Bowler's Heirs, Kenton Chancery and Court Appeals, \$3,000.

On motion of Mr. Smith—

Ordered, That 500 copies of said response be printed, and that said response be referred to the Committee on the Judiciary.

Mr. Wright moved to reconsider the vote by which the further consideration of a bill, entitled

An act to call a Convention,

Was postponed, and made the special order of the day for Thursday, February 27th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Glenn moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Phil Roberts,
Sam E. English.	D. L. May,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	G. Terry,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—18.

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	J. W. Martin,	D. H. Smith,
G. W. Gates,	John P. Newman,	A. H. Stewart,
William Goebel,	Chas. B. Poyntz,	D. W. Wright—13.
R. G. Hays,		

The Senate, according to order, took up for consideration a bill, entitled

An act to prohibit the selling, loaning, giving or furnishing spirituous, vinous or malt liquors, or any other intoxicating drink, on election days in this Commonwealth.

(For bill, see Senate Journal, January 15th, page 153.)

Mr. Gates had heretofore proposed the following amendment to said bill :

“Amend by excepting the county of Daviess.”

Mr. McCann had heretofore proposed the following amendment to said bill :

“But this act shall not apply to the city of Louisville and the county of Jefferson.”

Mr. Dickerson had heretofore proposed the following amendment to said bill, viz :

“Amend by excepting the counties of Grant, Pendleton and Bracken from the provisions of the bill.”

Mr. Goebel had heretofore proposed the following amendment to said bill, viz :

“Amend by adding to last section : This act shall not apply to Kenton, Anderson, Mercer and Franklin.”

Mr. Hendrick had heretofore proposed the following amendment to said bill :

Amend by striking out the words, "less than ten gallons."

Mr. Mulligan had heretofore proposed the following amendment to said bill, viz :

"That the act shall not apply to the city of Lexington."

Mr. Smith had heretofore proposed the following amendment to said bill, viz :

Amend by adding at the close of the last section the following : "But this act shall not apply to Larue, Mason or Todd counties."

Mr. Wortham offered the following amendment to said bill, viz :

"Amend by excepting Grayson, Breckinridge and Hancock counties from its provisions."

Mr. Dickerson moved that the further consideration of said bill and proposed amendments be indefinitely postponed.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
W. F. Berry,	R. G. Hays,	Chas. B. Poyntz,
Ben F. Bradley,	John K. Hendrick,	B. F. Reynolds,
W. W. Dickerson,	J. H. Lunsford,	D. H. Smith,
Sam E. English,	D. L. May,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham—18.

Those who voted in the negative, were—

T. L. Glenn,	J. W. Martin,	Phil Roberts,
J. B. Hannah,	J. J. Paul,	J. H. Shearer,
J. P. Huff,	A. L. Peterman,	A. H. Stewart,
John R. Kemp,	J. M. Pieratt,	D. W. Wright—12.

So said bill was rejected.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Anderson—

1. A bill to provide for calling a Constitutional Convention.

On motion of Mr. Berry—

2. A bill to incorporate the Corydon & Princeton Railroad Company.

On motion of Mr. Lunsford—

3. A bill supplementary to and to amend an act, entitled "An act to provide for a system of public schools in the city of Hopkinsville for white children in said city," approved March 13, 1872.

On motion of Mr. Peterman—

4. A bill for the benefit of H. E. Ferguson, of Monroe county.

On motion of same—

5. A bill directing the Secretary of State to procure and furnish to Monroe county the Reports of the Decisions of the Court of Appeals and the Acts of the General Assembly.

On motion of Mr. Pieratt—

6. A bill for the benefit of James F. Tutt, of Wolfe county.

On motion of Mr. Stewart—

7. A bill to prescribe the duties of courts in this Commonwealth in cases where the punishment of defendant has been fixed at imprisonment.

On motion of Mr. Wortham—

8. A bill to amend section 8, article 8, chapter 29, of the General Statutes.

On motion of Mr. Glenn—

9. A bill to amend an act, entitled "An act to incorporate the Paducah, Cairo & Southwestern Railroad Company," approved February 24, 1888.

On motion of Mr. Shearer—

10. A bill to charter the Monticello Banking Company.

On motion of same—

11. A bill to amend article 8, chapter 29, of the General Statutes, so far as the same applies to Wayne county.

On motion of Mr. Newman—

12. A bill to amend the charter of the city of Dayton, Campbell county, to authorize said city to issue bonds for the construction of sewers in said city.

Ordered, That the Committee on Executive Affairs prepare and bring in the 1st; the Committee on Railroads the 2d and 9th; the Committee on Education the 3d and 4th; the Commit-

tee on General Statutes the 5th, 8th and 11th; the Committee on Public Health the 6th; the Committee on the Judiciary the 7th; the Committee on Banks and Insurance the 10th, and the Committee on Courts of Justice the 12th.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to create Persimmon Grove voting precinct, in Campbell county, a magisterial district;

An act to establish a criminal court in Marion county;

An act for the benefit of James Page Spilman, an infant, removing his disabilities;

An act to change the time for the examination of candidates for county superintendent;

An act to incorporate the Fayette Safety Vault and Trust Company;

An act for the No. 2, Colored Common School District for Montgomery county;

An act to incorporate and define the corporate limits of Fallsburg, in Lawrence county;

An act to extend the time for beginning in the State the location and construction of the line of the West Virginia & Iron-ton Railroad Company;

An act regulating and defining the terms of the justices courts in Paducah, McCracken county;

An act to incorporate the Bruner's Chapel, Liberty and Cedar Grove Turnpike Company;

An act for the benefit of Colored Common District No. 16, Todd county;

An act to incorporate the Confederate State Association of Kentucky;

An act to authorize the Commissioners of the Sinking Fund to make improvements in the Penitentiary at Frankfort;

An act to amend an act to incorporate the town of Fancy Farm, in Graves county, Kentucky, approved April 1st, 1880;

An act to incorporate the American Bank, Trust and Guarantee Company.

An act to incorporate the Kentucky Dime Savings Bank;

An act to amend the charter of the city of Augusta, Kentucky;
Resolution in relation to the improvement of Kentucky river;
And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873 ;

An act to incorporate the Coal and Iron Bank ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

On motion of Mr. Roberts, the Senate then adjourned.

WEDNESDAY, FEBRUARY 19, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, of the following titles, viz :

An act to incorporate the Kentucky Land and Mining Company.

An act to incorporate the Standard Coal and Coke Company.

Which bills were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred to the Committee on Internal Improvements.

Mr. Dickerson offered the following resolution, viz :

Resolved, That the rules be so amended that it shall require a vote of a majority of two-thirds of all the Senators present to pass a motion to adjourn at any time before the hour of one o'clock P. M., and that the ayes and nays shall be called upon every such motion.

Which, under the rules, lie one day on the table.

Mr. McCain moved that the rules be suspended, and that the Senate take up for consideration the motion heretofore entered by him to reconsider the vote by which the Senate had rejected the following joint resolution, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That the present session of the General Assembly be extended beyond the constitutional limit of sixty days.

§ 2. This resolution to take effect from its adoption.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to lay the motion to reconsider the vote by which the Senate had rejected said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs. Newman and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	D. L. May,	Chas. B. Poyntz,
William Goebel,	John P. Newman,	D. H. Smith—7.
J. H. Lunsford,		

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	Phil Roberts,
F. W. Darby,	J. W. Martin,	A. H. Stewart,
Sam E. English,	J. W. McCain,	G. Terry,
G. W. Gates,	Chas. Patteson,	J. S. Wortham—25.
T. L. Glenn,		

The question was then taken on the motion heretofore made

by Mr. McCain to reconsider the vote by which the Senate had rejected said resolution, and it was decided in the affirmative.

The question being on the adoption of said resolution.

Mr. Smith moved to amend said resolution as follows, viz :

Amend by striking from section 1 the following words, "beyond the constitutional limit of sixty days," and insert in lieu thereof the following words, "until 12 o'clock M., on the 27th day of March, 1890."

Mr. Lindsay proposed the following amendment to said resolution, viz :

But the two Houses of the General Assembly shall adjourn without day at 12 o'clock M. on Monday, the 31st day of March, 1890.

Mr. Reynolds moved to amend said resolution as follows, viz :

And by adding after the word "days" the following: "To the 2d day of next April."

Mr. Newman moved to amend said resolution by extending the session to the first Monday in May.

Pending the further consideration of said resolution, a message was received from the House of Representatives announcing that they had passed a resolution, entitled

Resolution extending the present session of the General Assembly beyond the constitutional limit of sixty days.

Said resolution read as follows, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That the present session of the General Assembly be, and the same is hereby, extended beyond the constitutional limit of sixty days.

§ 2. This resolution to take effect upon its adoption.

Mr. Dickerson moved to refer said resolution, together with the one under consideration, to the Committee on Rules, with leave to report at any time.

Mr. Breckinridge moved that the session of the Senate be extended until the resolution under consideration was disposed of.

Mr. Dickerson moved that the Senate do now adjourn.

Mr. Anderson moved that when the Senate adjourns, it be to meet on to-morrow, at 10:35 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. H. Lunsford,	Phil Roberts,
W. F. Berry,	A. L. Peterman,	D. H. Smith—7.
G. W. Gates,		

Those who voted in the negative, were—

Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
Reuben Conner,	J. P. Huff,	J. J. Paul,
F. W. Darby,	John R. Kemp,	B. F. Reynolds,
W. W. Dickerson,	William Lindsay,	J. H. Shearer,
Sam E. English,	D. L. May,	G. Terry—17.
J. B. Hannah,	John P. Newman,	

Mr. Dickerson moved to reconsider the vote by which the Senate refused to adopt the motion made by Mr. Anderson, that when the Senate adjourns, it be to meet on to-morrow, at 10:35 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Lindsay,	John P. Newman—5.
J. B. Hannah,	J. H. Lunsford,	

Those who voted in the negative, were—

W. F. Berry,	J. W. Martin,	Chas. B. Poyntz,
Reuben Conner,	D. L. May,	Phil Roberts,
F. W. Darby,	Chas. Patteson,	J. H. Shearer,
John K. Hendrick,	J. J. Paul,	A. H. Stewart,
J. P. Huff,	J. M. Pieratt,	G. Terry—15.

Mr. Goebel moved that when the Senate adjourns, it be to meet at 11 o'clock to-morrow.

Mr. Dickerson moved to amend said motion by making the hour to meet 11:15, instead of 11 o'clock.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

J. B. Hannah,	Chas. Patteson,	B. F. Reynolds—3.
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Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	D. L. May,
W. F. Berry,	T. L. Glenn,	Charles Patteson,
Ben F. Bradley,	R. G. Hays,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
Reuben Conner,	J. P. Huff,	Phil Roberts,
F. W. Darby,	John R. Kemp,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	G. Terry—22.
Sam E. English,		

Mr. McCain moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion heretofore made by Mr. Dickerson, that the Senate do now adjourn, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

John P. Newman,	Phil Roberts—2.
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Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
W. F. Berry,	J. B. Hannah,	Chas. Patteson,
Ben F. Bradley,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	J. S. Wortham—27.

Mr. Peterman moved that when the Senate adjourns, it be to meet on to-morrow, at 10:45 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson.	T. L. Glenn,	Chas. Patteson,
W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	J. W. McCain,	J. S. Wortham—26.
G. W. Gates,	John McCann,	

Those who voted in the negative, were—

Chas. B. Poyntz,	Phil Roberts—2.
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Mr. Peterman moved to reconsider the vote by which the Senate had adopted the motion made by him, that when the Senate adjourns, it be to meet at 10:45 o'clock A. M.

Mr. Peterman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Breckinridge moved the previous question.

Mr. Dickerson moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be had?" it was decided in the negative.

The question was then taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

In the affirmative—John P. Newman—1.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	Phil Roberts,
F. W. Darby,	D. L. May,	J. H. Shearer,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—27.

The question was then taken on the motion heretofore made by Mr. Breckinridge, that the session of the Senate be extended until the resolution under consideration was disposed of, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hendrick and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	Phil Roberts,
F. W. Darby,	D. L. May,	J. H. Shearer,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—28.
J. B. Hannah,		

In the negative—none.

Mr. Peterman moved to reconsider the vote by which the session of the Senate was extended until the resolution under consideration was disposed of

Mr. Peterman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the motion heretofore made by Mr. Dickerson, to refer the resolution under consideration, and also the one of like character reported from the House to the Committee on Rules, with leave to report at any time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	Phil Roberts,
F. W. Darby,	D. L. May,	J. H. Shearer,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—28.
J. B. Hannah,		

Mr. Breckinridge moved that the rules be suspended, and that the further consideration of the resolution be postponed, and the Senate proceed to the consideration of the resolution of like character just reported from the House of Representatives.

Mr. Newman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. Breckinridge, that the rules be suspended, and that the further consideration of the resolution be postponed, and that the Senate proceed to the consideration of the resolution of like character just reported from the House of Representatives, and it was decided in the affirmative.

The Senate then took up said resolution from the House of Representatives for consideration, and the question being upon concurring in its adoption.

Mr. Reynolds proposed to amend said resolution as follows, viz :

Amend by adding after the word “days,” the words “to the 15th day of next April.”

Mr. Newman moved to amend said resolution as follows, viz :

By inserting “to the 1st day of May,” after the word “days.”

Mr. Dickerson moved to amend said resolution by fixing the time of extension to the 10th day of March, 1890.

Mr. Lindsay moved to amend said resolution by fixing the time of extension to the 31st day of March, 1890.

The question was then taken on the adoption of the amendment proposed by Mr. Newman to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	William Lindsay,	John P. Newman,
R. G. Hays,	John McCann,	Chas. Patteson—6.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	Phil Roberts,
F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	A. H. Stewart,
G. W. Gates,	D. L. May,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—24.

The question was then taken on the adoption of the amendment proposed by Mr. Reynolds to said resolution, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Lindsay to said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	J. H. Lunsford,	John P. Newman,
T. L. Glenn,	D. L. May,	B. F. Reynolds—8.
William Lindsay,	John McCann,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,

Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	Phil Roberts,
Reuben Conner,	J. W. Martin,	J. H. Shearer,
F. W. Darby,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	Chas. Patteson,	G. Terry,
R. G. Hays,	J. J. Paul,	J. S. Wortham—24.

The question was then taken on the adoption of the amendment proposed by Mr. Dickerson to said resolution, and it was decided in the negative.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	Phil. Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	J. S. Wortham—29.
R. G. Hays,	Chas. Patteson,	

Those who voted in the negative, were—

J. H. Lunsford, Chas. B. Poyntz, D. H. Smith—3.

Resolved, That the title of said resolution be as aforesaid.

Mr. Hendrick moved to reconsider the vote by which the Senate had concurred in the adoption of said resolution.

Mr. Hendrick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

J. J. Paul, Phil Roberts, D. W. Wright—3.

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	J. H. Shearer,
F. W. Darby,	D. L. May,	D. H. Smith,
W. W. Dickerson,	J. W. McCain,	A. H. Stewart,
Sam E. English,	John McCann,	G. Terry,
G. W. Gates,	Chas. Patteson,	J. S. Wortham—28.
J. B. Hannah,		

On motion of Mr. Hendrick, the Senate again took up for consideration the joint Senate resolution, entitled

Resolution providing for an extension of the present session of the General Assembly.

Mr. Hendrick moved to lay said resolution on the table.

And the question being taken thereon, it was decided in the affirmative.

So said resolution was rejected.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Dime Savings Bank, of Owensboro.

By same—

An act to incorporate the Deposit Bank, of Beaver Dam, Kentucky.

By Mr. Lunsford, from the same committee—

A bill to incorporate the Bank of Cumberland.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of W. W. Taber, of Hancock county.

By same—

An act for the benefit of the administrator of Thos. D. McCullom.

By Mr. McCain, from the Committee on Courts of Justice—

An act to secure a more uniform and equal distribution of

jury service among the citizens of the county of Jefferson and the city of Louisville.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of E. W. Lillard, of Lancaster, Garrard county, Kentucky.

By Mr. Newman, from the Committee on Courts of Justice—

An act empowering the municipalities in Campbell county to regulate the observance of Sunday therein.

By Mr. McCain, from the Committee on Codes of Practice—

An act to adopt the Civil and Criminal Codes of Practice of Kentucky, edited by John D. Carroll.

By Mr. Paul, from the same committee—

An act to authorize the board of trustees of the town of Barbourville, Knox county, to borrow money for the improvement of streets, and the payment of the ordinary expenses thereof.

By Mr. Dickerson, from the same committee—

An act to authorize the Pendleton County Court to borrow money in aid of building turnpike roads, and provide a sinking fund therefor.

By same—

An act to establish a county board of commissioners for the county of Pendleton, and to define their duties.

By Mr. Terry, from the Committee on General Statutes—

An act for the benefit of J. W. Baird, sheriff of Simpson county, allowing him further time to execute bond.

By Mr. English, from the Committee on Internal Improvements—

An act for the benefit of Jefferson county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky.

By Same—

An act to amend the charter of the Three Forks Deposit Bank, of Beattyville, Kentucky.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Miss Ida Allen, of Daviess county.

With an amendment to the four last-named bills.

Which were adopted.

Ordered That said bills, the four last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. McCann—

1. A bill regulating the election of directors, trustees or managers of the institutions or corporations of the city of Louisville, whose directors, trustees or managers are by law elected by the general council of the city of Louisville.

On motion of same—

2. A bill to amend the charter of the city of Louisville.

On motion of same—

3. A bill to amend the charter of the city of Louisville, and directory to the board of commissioners of public charities of said city.

On motion of Mr. Smith—

4. A bill to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

On motion of Mr. Shearer—

5. A bill to incorporate the Cincinnati & Kentucky Southern Railroad Company.

On motion of Mr. Gates—

6. A bill to incorporate the Belt Line Railroad Company, Owensboro.

On motion of Mr. Wright—

7. A bill to amend an act, entitled "An act to establish a board of health, etc."

On motion of same—

8. A bill to incorporate the Bank of Louisa.

On motion of same—

9. A bill to amend an act, entitled "An act to protect citizens from empericism."

On motion of Mr. Pieratt—

10. A bill to authorize and empower the Wolfe County Court

to levy and collect an ad valorem and per capita tax to raise funds to build a jail and poor-house.

On motion of Mr. Martin—

11. A bill to amend an act, entitled “An act to amend and reduce into one all acts in relation to the incorporation of the town of Morgantown, Kentucky,” approved March 21, 1870, and all acts amendatory thereto.

On motion of Mr. McCain—

12. A bill to amend an act, entitled “An act to incorporate the town of Port Royal, in Henry county, and the amendments thereto.”

On motion of Mr. McCann—

13. A bill to amend an act, entitled “An act to incorporate the Kentucky Rock Gas Company.”

On motion of Mr. Goebel—

14. A bill to require the establishment of safety gates at the railroad crossings on Madison avenue, in Covington.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st, 2d, 3d and 14th; the Committee on Revenue and Taxation, the 4th; the Committee on Railroads, the 5th and 6th; the Committee on Public Health, the 7th, 9th and 11th; the Committee on Banks and Insurance, the 8th; the Committee on Finance, the 10th; and the Committee on General Statutes, the 12th and 13th.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Columbia Finance and Trust Company of Louisville, Kentucky,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Hays, the rules were suspended, and the Senate took up for consideration a bill, which originated in the Senate, entitled

An act to incorporate the Columbia Finance and Trust Company of Louisville, Kentucky.

On motion of Mr. Hays, the third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hays moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act to amend subsection 3, of section 51, of the Civil Code,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Lindsay moved that the further consideration of said bill be postponed, and that said bill be printed, and made the special order of the day for Friday, February 21, 1890, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Goebel moved that the further consideration of said bill be postponed, and made the special order of the day for to-morrow, at 11:15 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Barclay, Potter & Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a second time as follows, viz:

WHEREAS, It appears that Barclay, Potter & Co., bankers, paid to the sheriff of Warren county the sum of \$268.95, in full for revenue and county levy for the year 1887, and also to said sheriff the sum of \$251.60, in full for revenue and county levy for the year 1888; and, whereas, by mistake of said Barclay, Potter & Co., and by mistake of the county court clerk of Warren county, the sum of \$150 was collected of said Barclay, Potter & Co. by said clerk for license to carry on the business of broker for the year 1887, and also the further sum of \$150 was collected in the same manner for the year 1888; and, whereas, said money was paid into the State Treasury, and there was no law providing for the collection of said license money of \$300; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, §1. That the Auditor of Public Accounts is hereby authorized to draw his warrant in favor of Barclay, Potter & Co., upon the Treasurer of the State, for the sum of \$300, payable out of any moneys not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. J. Paul,
W. F. Berry,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Ben F. Reynolds,
Reuben Conner,	William Lindsay,	Phil Roberts,
F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
Sam E. English,	John McCann,	G. Terry,
G. W. Gates,	John P. Newman,	J. S. Wortham,
T. L. Glenn,	Charles Patteson,	D. W. Wright—30.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act to increase the jurisdiction of the Butler Quarterly Court,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to legalize the leasing of certain turnpike roads in Gallatin county;

An act to prevent hogs from running at large in the county of Bullitt, and to provide a penalty therefor;

An act to amend the charter of the town of Warsaw, in Gallatin county;

And an enrolled bill, which originated in the Senate, of the following title, viz:

An act for the benefit of J. C. Willim, sheriff of Lewis county;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. McCain was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and that said bill had been delivered into the possession of the House of Representatives.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act supplementary to and to amend an act, entitled "An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city," approved March 13, 1872.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Smith objected to the further reading of said bill on this day.

Mr. Lunsford moved that the rules be suspended, and that said bill be ordered to its third reading.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gates moved that the rules be suspended, and that the Senate take up for consideration a joint resolution, heretofore proposed by him, entitled

Resolution providing for adjournment of this General Assembly in commemoration of Washington's birthday.

(For resolution, see Senate Journal, February 12, 1890.)

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,

Reuben Conner,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	G. Terry,
G. W. Gates,	John McCann,	D. W. Wright—23.
R. G. Hays,	John P. Newman,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	D. H. Smith,
W. W. Dickerson,	J. H. Lunsford,	J. S. Wortham—8.
William Goebel,	Phil Roberts,	

Mr. Dickerson proposed to amend said resolution by striking out the words “thirty-eight guns,” and inserting the words “forty-two guns.”

Mr. Smith proposed to amend the amendment proposed by Mr. Dickerson to said resolution, as follows, viz:

Strike out “forty-two guns,” and insert in lieu thereof the words “fifty guns.”

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Dickerson to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	John McCann,	J. H. Shearer,
F. W. Darby,	Chas. Patteson,	G. Terry,
G. W. Gates,	J. J. Paul,	J. S. Wortham—19.
T. L. Glenn,		

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	Phil Roberts,
Sam E. English,	John R. Kemp,	D. H. Smith—6.

Mr. Peterman proposed to amend said resolution as follows, viz:

Add, after the words “24th inst.,” the words “at 3 o'clock P. M.”

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Smith, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	Sam E. English.	A. L. Peterman,
R. J. Breckinridge,	R. G. Hays,	Chas. B. Poyntz,
Reuben Conner,	John McCann,	B. F. Reynolds,
F. W. Darby,	J. J. Paul,	Phil Roberts—13.
W. W. Dickerson,		

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	D. H. Smith,
John K. Hendrick,	D. L. May,	G. Terry,
J. P. Huff,	Chas. Patteson,	J. S. Wortham—11.
John R. Kemp,	J. H. Shearer,	

Pending the further consideration of said resolution, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

THURSDAY, FEBRUARY 20, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof.

With an amendment thereto.

Which was taken up and concurred in.

That they had adopted a joint resolution, entitled

Resolution providing for an adjournment of the General Assembly from Friday, February 21, 1890, to Monday, February 24, 1890.

By unanimous consent, the rules were suspended, and said resolution was taken up for consideration.

Said resolution reads as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That the General Assembly, when it adjourns on Friday, 21st inst., do adjourn to meet again on Monday, the 24th inst., and that no session of this General Assembly be held on the 22d inst.

§ 2. That in honor of the birthday of the Father of our Country, George Washington, the Adjutant-General is directed to fire a salute of forty-two guns on the 22d inst., at 12 o'clock M.

§ 3. This resolution to take effect from its adoption.

Mr. Gates proposed the following amendment as a substitute for said resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That this General Assembly, when it adjourns on Friday, the 21st inst., do adjourn to meet again on Monday, the 24th, at 3 o'clock P. M., and that no session of this General Assembly be held on the 22d inst.

§ 2. That in honor of the birthday of the Father of our Country, George Washington, the Adjutant-General is directed to fire a salute of forty-two guns on the 22d inst., at 12 o'clock M.

§ 3. This resolution to take effect from its adoption.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

By unanimous consent, the rules were suspended, and the Senate took up for consideration the unfinished order of the day of yesterday, being a joint resolution, entitled

Resolution providing for adjournment of the General Assembly in commemoration of Washington's birthday.

By unanimous consent, Mr. Gates, who offered the same, was permitted to withdraw said resolution from the further consideration of the Senate.

Mr. Glenn withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, entitled

An act concerning the stock in the Bank of Louisville, held by the Commissioners of the Sinking Fund of the Commonwealth of Kentucky.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Coal and Iron Bank.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

By unanimous consent, the rules were suspended, and Mr. Smith reported a bill, entitled

An act to incorporate the Greensburg Deposit Bank.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1, of article 1, of an act, enti-

tled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved the 17th day of May, 1886, be, and the same is hereby, amended by striking out of said section the words "forty-seven," and in lieu thereof insert the words "forty-two," and by striking out the words "twenty cents," where they occur in the sixth line of said section, and inserting in lieu thereof the words "fifteen cents."

§ 2. This act shall take effect on and after its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 8, article 8, chapter 29, General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 8, of article 8, chapter 29, General Statutes, be amended by striking out the word "five," in the second line of said section, and inserting in lieu thereof the word "seven."

§ 2. This act to take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith, from the Committee on Executive Affairs, to whom was referred leave to bring in a bill, entitled

An act to call a convention for the purpose of re-adopting, amending or changing the Constitution,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

On motion of Mr. Hendrick—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed, and made the special order of the day for Thursday next, February 27th, at 12 o'clock M., and from day to day until disposed of.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of J. W. Dougherty, of Nelson county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That J. W. Dougherty, of the county of Nelson, and State of Kentucky, be and is hereby, empowered to practice dental surgery in said county for the space of two years, from and after the first day of January, 1890, as though he had complied with all the acts regulating the persons who, and the circumstances under which, dental surgery may be practiced within the State of Kentucky, and for two years he is relieved from all the penalties for failure to comply with the laws declaring who shall and who shall not practice dentistry in the State of Kentucky.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson.	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,

Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—28.
R. G. Hays,		

In the negative—Phil Roberts—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Farmers' Bank of Calloway, of Murray, Kentucky ;

An act to amend the charter of the town of Petersburg, in Boone county, extending the boundary limits of said town, and grant additional powers ;

Resolution extending the present session of the General Assembly beyond the constitutional limit of sixty days ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to repeal section 9 of an act approved March 20, 1876, entitled "An act to regulate the civil jurisdiction of justices of the peace, police judges and quarterly courts and appellate jurisdiction of circuit courts from judgments, and to authorize quarterly courts to appoint clerks," insofar as said section 9 applies to Union county ;

An act to amend the charter of the Evergreen Cemetery Company, of Newport, Kentucky ;

An act to legalize certain acts of J. E. Dawson, done as deputy county court Clerk of Daviess county ;

An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee

to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Berry, from the Committee on Federal Relations, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution urging the passage of a bill by Congress for the benefit of the Big Sandy river,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Poyntz, from the Committee on Finance, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution authorizing and directing the Auditor of Public Accounts to place certain moneys to the credit of the State Treasurer,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to regulate and define the property rights of husband and wife,

Reported the same, with the expression of opinion that said bill ought not to pass.

On motion of Mr. Anderson—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday next, February 25th, at 11 o'clock A. M., and from day to day until disposed of.

The hour of 12 o'clock M. having arrived, the Speaker announced the orders of the day.

Mr. English moved that the rules be suspended, and that the consideration of bills in the orders of the day be postponed until a call of the committees was had.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	J. H. Lunsford,	A. H. Stewart,
Reuben Conner,	J. W. McCain,	D. W. Wright—13.
Sam E. English,		

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	Chas. B. Poyntz,
F. W. Darby,	J. P. Huff,	Phil Roberts,
W. W. Dickerson,	D. L. May,	J. H. Shearer,
T. L. Glenn,	John P. Newman,	G. Terry,
Wm. Goebel,	Chas. Patteson,	J. S. Wortham—15.

The Senate, according to order, took up for consideration the amendment adopted by the House of Representatives to a joint resolution, which originated in the Senate, entitled

Resolution providing for an investigation of the Louisville Gas Company.

Said resolution reads as follows, viz :

WHEREAS, Through the public prints and in general comment, statements have been made to the effect that the Louisville Gas Company, a corporation chartered by the General Assembly of Kentucky, is openly, seriously and flagrantly violating many provisions of its charter; and, whereas, said provisions were embodied in the charter of the Louisville Gas Company, for the protection of the citizens of Louisville; and, whereas, the said Louisville Gas Company, in so openly, seriously and flagrantly violating such provisions, has forfeited its charter; and, whereas, it has been commonly rumored that the Louisville Gas Company has not kept faith with the city of Louisville in the quality of light furnished, or with its patrons in the price charged for fuel and other gas; and, whereas, it is a matter of public notoriety that the said Gas Company has attempted to interfere with the election of local and State officers by the illegal use of money; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That a committee of five be appointed by the Senate, to act in conjunction with a like committee appointed by the Speaker of the House, to investigate the affairs of the

Louisville Gas Company; to summon witnesses and swear the same; examine its books, and be invested with full power to carry out the spirit of these resolutions, and report the result of such investigation to this body.

§ 2. This resolution to take effect from and after its adoption.

The amendment proposed by the House of Representatives to said resolution reads as follows, viz :

1. Amend by providing that the joint committee acting under this resolution shall have leave to report the result of their investigation to their respective bodies at any time.

2. Amend by inserting the words "Speaker of," after the word "the," in the second line.

On motion of Mr. Smith, a division of the question was ordered on said amendment.

The question was then taken on concurring in the adoption of the first clause of said amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
W. F. Berry,	J. B. Hannah,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil. Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	A. H. Stewart,
Sam E. English,	Chas. Patteson,	G. Terry,
G. W. Gates,	J. J. Paul,	J. S. Wortham—28.
T. L. Glenn,		

The question was then taken on concurring in the adoption of the second clause of said amendment, and it was decided in the affirmative.

The Senator from Mason, Mr. Poyntz, rising to speak on the question of concurring in the foregoing amendment of the House of Representatives to the resolution aforesaid, made the following statement, to-wit :

"That in drafting the said resolution, it was his purpose and intention to so draft it as to require the appointment of the joint committee proposed to be raised by it to be made by the

respective Speakers of the two Houses, and that the language of said resolution providing for the committee on the part of the Senate to be appointed by the Senate, was a pure inadvertence, and an unintentional mistake made by him in drafting the same. That he intended no discourtesy or disrespect whatever to the presiding officer of the Senate in so drafting said resolution, and it was a simple oversight in having said resolution to read so as to provide for the raising of the Senate Committee by the Senate, instead of by the presiding officer of the Senate."

And thereupon the Senator from Mason, Mr. Poyntz, requested and moved to have said explanation incorporated in and made a part of the Journal of the Senate on the consideration of said resolution.

Which was granted, and is now done.

Mr. Poyntz moved that the consideration of the special orders of the day be postponed, and that a call of the committees be had.

And the question being taken thereon, it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Smith, from the Committee on Banks and Insurance—

An act to incorporate the Owensboro Insurance Company.

By Mr. McCann, from the Committee on General Statutes—

An act providing for the extinguishment of the funded debt of the city of Louisville.

By Mr. Wortham, from the same committee—

An act to amend an act, entitled "An act to regulate municipal elections in the city of Louisville."

By Mr. Wright, from the same committee—

An act to empower and authorize the city of Bowling Green to issue \$20,000 dollars of public improvement bonds.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Greenwood and Massey's Mill Turnpike Company."

By same—

An act to amend an act, entitled “An act to incorporate the town of South Louisville,” approved May 17, 1886.

By same—

An act to amend an act, entitled “An act to incorporate the town of South Louisville,” approved May 17, 1886.

By same—

An act authorizing the trustees of the town of South Louisville to issue \$50,000 of bonds of said town for municipal purposes.

By same—

An act to amend an act, entitled “An act to allow the citizens of Henry county to vote a tax in aid of turnpike road companies, and to require the commissioners to make annual reports to the county judge, etc., in Districts Nos. 2 and 3, and prescribe penalties for failure.”

By same—

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

By same—

An act to amend the charter of the city of Owensboro, to empower the common council of said city to levy a tax each year for the purpose of defraying expenses of said city.

By same—

An act to incorporate the Keystone Natural Gas Company.

By Mr. Poyntz, from the Committee on Finance—

An act for the benefit of John W. Ridgeway, of Henry county, and allowing him certain credit by the Auditor in his next settlement as Sheriff of Henry county.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named, as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the city of Louisville, and directory to the board of commissioners of public charities of said city.

By Mr. Newman, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to amend and re enact an act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark’s River Gravel Road Company.”

By Mr. Wortham, from the Committee on General Statutes—

An act to amend an act, entitled “An act to re-incorporate and amend the laws for the town of Campbellsville, Taylor county,” approved March 19, 1888.

By Mr. Anderson, from the same committee—

An act to repeal an act, entitled “An act providing for the election of a surveyor in the city of Louisville and in the county of Jefferson,” chapter 1636, vol. 2, acts 1883 and 1884.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act incorporating the Daviess County Fair Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Smith, from the Committee on Executive Affairs, to whom was referred the nomination by the Governor of Henry S. Hale, of Graves county, to be Treasurer of the State for the unexpired term of the present incumbent, reported the same, with the ex-

pression of opinion that said nomination be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 20, 1890. }

Gentlemen of the Senate:

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Wood H. Bowen, Kenton county.
J. R. Brothers, Bath county.
Wm. B. Brock, Fayette county.
Jos. B. Cox, Spencer county.
A. J. Crawford, Pulaski county.
G. W. Dillon, Adair county.
J. E. Hammonds, Owsley county.
Jno. S. Jackman, Jefferson county.
William F. Kidd, Owsley county.
H. R. Little, Christian county.
T. J. McNeal, Kenton county.
Richard Morris, Franklin county.
W. M. Minter, Jackson county.
William L. Reily, Campbell county.
M. L. Roberts, Kenton county.
Henry Schmitt, Jefferson county.
S. B. Shannon, Henderson county.
T. Grant Slaughter, Jefferson county.
C. C. Taylor, Jefferson county.
Hamer Tupman, Kenton county.
Ben C. Weaver, Jr., Jefferson county.
W. F. White, Fayette county.
R. D. Wilson, Lewis county.
Henry S. Cohn, Jefferson county.
Robert Richardson, Kenton county.
Reinhold Koestlin, Campbell county.
Thos. S. Reed, Campbell county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky.

Mr. Dickerson proposed amendments to said bill.

On motion of Mr. Lindsay—

Ordered, That said bill, and the proposed amendments thereto, be recommitted to the Committee on the Judiciary.

The Senate, according to order, took up for consideration amendments adopted by the House of Representatives to bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Bank of Campbellsville."

An act to incorporate the Taylor Bank, of Campbellsville.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of P. H. Haley, a justice of the peace, of Daviess county.

And the question being taken on the passage of said bill, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration the following resolution, which was on yesterday proposed by Mr. Dickerson, viz :

Resolved, That the rules be so amended that it shall require a vote of a majority of two-thirds of all the Senators present to pass a motion to adjourn at any time before the hour of one o'clock P. M., and that the ayes and nays shall be called upon every such motion.

Mr. May moved that said resolution be referred to the Committee on Rules.

Mr. Glenn moved to lay said resolution on the table.

The question was then taken on the motion made by Mr. Glenn, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,
Ben F. Bradley,

T. L. Glenn,
R. G. Hays,

J. J. Paul,
A. L. Peterman,

Reuben Conner,	John K. Hendrick,	Chas. B. Poyntz,
F. W. Darby,	J. W. Martin,	Phil Roberts,
Sam E. English,	John P. Newman,	J. H. Shearer—16.
G. W. Gates,		

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	B. F. Reynolds,
R. J. Breckinridge	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
William Goebel,	J. W. McCain,	G. Terry,
J. B. Hannah,	John McCann,	J. S. Wortham,
J. P. Huff,	Chas. Patteson,	D. W. Wright—20.
John R. Kemp,	J. M. Pieratt,	

The question was then taken on the motion made by Mr. May, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goebel and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Phil Roberts,
Reuben Conner,	J. P. Huff,	A. H. Stewart,
F. W. Darby,	D. L. May,	D. W. Wright—20.
G. W. Gates,	J. W. McCain,	

Those who voted in the negative, were—

W. W. Dickerson,	John McCann,	B. F. Reynolds,
William Goebel,	Chas. Patteson,	D. H. Smith,
John R. Kemp,	J. J. Paul,	G. Terry,
William Lindsay,	Chas. B. Poyntz,	J. S. Wortham—13.
J. H. Lunsford,		

Leave was granted to bring in the following bills, viz :

On motion of Mr. Breckinridge—

1. A bill to amend an act to authorize the people of Boyle county to vote on prohibiting the sale of liquors in said county.

On motion of same—

2. A bill to authorize the Boyle county court to levy a tax.

On motion of same—

3. A bill to amend section 425 of the Code of Practice in civil cases.

On motion of same—

4. A bill to amend an act, entitled “An act to amend an act, to amend and reduce into one the several acts in relation to the town of Danville,” approved March 10, 1873.

On motion of Mr. Anderson—

5. A bill to establish a true north and south line, and requiring the variation of the magnetic course to be recorded in each county.

On motion of Mr. Roberts—

6. A bill for the benefit of Common School District No. 17, in the county of Madison.

On motion of Mr. Peterman—

7. A bill for the benefit of the State Normal School for colored persons.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on the Judiciary the 2d and 4th; the Committee on Codes of Practice the 3d; the Committee on General Statutes the 5th, and the Committee on Education the 6th and 7th.

And then the Senate adjourned.

FRIDAY, FEBRUARY 21, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Louisville Southwestern Railroad Company.

An act to amend an act, entitled “An act to incorporate the Paducah Street Railway Company.”

An act to amend an act, entitled “An act to incorporate the Louisville Railway Company,” approved January 22, 1867.

An act to provide for the completion and furnishing of the Kentucky Institution for the Education and Training of Feeble-Minded Children.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Paducah, Hickman & Southern Railroad Company."

2. An act to incorporate the Newport Electric Car Company, Newport, Kentucky.

3. An act to compel the Kentucky Central Railway Company and its assigns to provide safety gates, and to keep a watchman at the crossing of its road over the turnpike leading from Paris to Winchester, at Paris, Bourbon county.

4. An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents in the counties of Ballard, Carlisle, Hickman and Fulton.

5. An act to incorporate the Middlesborough Belt Railroad Company.

6. An act to incorporate the Cumberland Railroad Company.

7. An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine & Beattyville Railroad Company."

8. An act to incorporate the Pineville Street Railway Company.

9. An act to amend an act, entitled "An act to provide a security for manufacturers and vendors of railroad equipment and rolling stock in making conditional sales thereof.

10. An act to incorporate the Pinnacle Inclined Railway Company, of Middlesborough.

11. An act to further regulate the operation of street cars and street car lines and companies within the county of Kenton and elsewhere.

12. An act making it unlawful for cattle to run at large upon that part of the turnpike road leading from Bardstown to Louisville, which lies between Bardstown and the toll-gate on said road nearest to Bardstown.

13. An act to amend an act to incorporate the South Covington & Cincinnati Street Railway Company, approved January 25, 1876.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th and 13th to the Committee on Railroads; the 2d and 12th to the Committee on Propositions and Grievances, and the 11th to the Committee on the Judiciary.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to adopt the Civil and Criminal Codes of Practice of Kentucky, edited by Jno. D. Carroll;

An act for the benefit of the administrator of Thomas D. McCullom;

An act for the benefit of W. W. Tabor, of Hancock county;

An act to authorize the board of trustees of the town of Barbourville, Knox county, to borrow money for the improvement of streets and the payment of the ordinary expenses thereof;

An act to secure a more uniform and equal distribution of jury service among the citizens of the county of Jefferson and of the city of Louisville;

An act to incorporate the Dime Savings Bank, of Owensboro;

An act for the benefit of E. W. Lillard, of Lancaster, Garrard county, Kentucky;

An act to establish a county board of commissioners for the county of Pendleton, and to define their duties;

An act for the benefit of J. W. Baird, sheriff of Simpson county, allowing him further time to execute bond;

An act empowering the municipalities in Campbell county to regulate the observance of Sunday therein;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to provide for the completion and furnishing of the Kentucky Institution for the Education and Training of Feeble-minded Children;

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county;

An act to amend an act, entitled "An act to incorporate the Bank of Campbellsville ;"

An act to provide for the incorporation of Young Men's Christian Associations of the State of Kentucky ;

Resolution providing for an investigation of the Louisville Gas Company ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Royal Gas Company.

By same—

An act to incorporate the Climax Gas Company.

By same—

An act creating the office of Inspector of Buildings for the city of Louisville.

By Mr. Gates, from the Committee on Military Affairs—

An act to amend an act, entitled "An act incorporating the United States Mail Line Company," approved February 27, 1865.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act to incorporate the town of Pleasant Home, in Owen county," approved March 26, 1888.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of New Columbus, in Owen county,' " approved February 23, 1874, and all subsequent amendments thereto.

By same—

An act to incorporate the town of Corbin, in Whitley county, Kentucky.

By Mr. Roberts, from the same committee—

An act to amend the charter of the town of Catlettsburg, Boyd county.

By same—

An act to declare Brush creek, in Floyd county, a navigable stream.

By same—

An act to re-charter the town of Mt. Vernon, in Rockcastle county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the charter of the town of Owingsville, Bath county, Kentucky."

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Gardnersville Cemetery Company, in Pendleton county.

By same—

An act to amend an act, entitled "An act to incorporate the trustees of the First Presbyterian Church of Louisville," approved February 21, 1890.

By same—

An act to incorporate the Keene Cemetery Company, in Jessamine county.

By same—

An act to incorporate the board of trustees of the Kentucky Universalist Convention.

By same—

An act to incorporate Union Encampment No. 70, Independent Order of Odd Fellows, of Paducah.

By Mr. Bradley, from the Committee on Railroads—

An act to amend section 5 of an act, entitled "An act to prescribe the mode of condemning land for the use of railroad and turnpike companies," approved April 11, 1882.

By same—

An act to amend the charter of the Henderson State Line Railroad Company, approved April 12, 1888.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to repeal an act, entitled “An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same,” approved May 18, 1886.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act for the benefit of Wolford Lodge No. 68, I. O. O. F.

With amendments to the three last-named bills.

Which were adopted.

Ordered That said bills, the three last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By unanimous consent, the rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the town of Maytown, Morgan county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

On motion of Mr. Lunsford, leave of absence, indefinitely, was granted Mr. Reynolds.

On motion of Mr. Pieratt, the Senate took up for consideration bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled “An act to prevent the drifting and floating of saw logs down the Licking river, below Salyersville,” approved May 7, 1886.

An act to permit the erection of booms at or near the mouth of streams tributary to the Licking river.

The question pending being, “Shall said bills be returned to the Governor?”

On motion of Mr. McCain—

Ordered, That the further consideration of said bills be post-

poned, and made the special order of the day for Wednesday next, February 26th, at 10:45 o'clock A. M., and from day to day until disposed of.

A message was received from the House of Representatives, asking leave to withdraw from the Senate, the announcement of the passage by the House of Representatives of a bill, which originated in the Senate, entitled

An act to incorporate the Pewee Valley Hotel Company.

Which was granted, and the bill delivered to the messenger.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Patteson, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby,	T. L. Glenn,	J. J. Paul,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—7.
G. W. Gates,		

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	D. L. May,	A. H. Stewart,
Sam E. English,	J. W. McCain,	G. Terry,
John K. Hendrick,	John McCann,	J. S. Wortham—20.
John R. Kemp,	A. L. Peterman,	

Mr. Dickerson moved that when the Senate adjourns for the day, it be to meet on Monday, February 24th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Stewart—

1. A bill equalizing the length of the sessions of the common schools of this Commonwealth, and defining the limits of school age, extent of school districts by school population, and privilege of persons over school age.

On motion of Mr. Poyntz—

2. A bill to provide for a registration of voters in the city of Maysville.

On motion of Mr. Roberts—

3. A bill to incorporate the Big Hill Mining and Investment Company.

On motion of Mr. Martin—

4. A bill, entitled "An act to incorporate the Bremen College, including Perryman Male and Female Academy, of Bremen, Muhlenberg county, Kentucky."

On motion of Mr. Poyntz—

5. A bill to amend the charter of the Cabin Creek Turnpike Road Company.

Ordered, That the Committee on Education prepare and bring in the 1st and 4th; the Committee on Finance the 2d; the Committee on Propositions and Grievances the 3d, and the Committee on Internal Improvements the 5th.

Mr. Newman, from the Committee on Courts of Justice, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a court of common pleas in the county of Christian," approved February 6, 1888,

Reported the same, without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1 of the act mentioned in the title be, and the same is hereby, amended by repealing and striking from the said section the words, "twelve hundred dollars per annum, one-half," and by inserting and enacting in lieu thereof, and as a part of section, the words, "eighteen hundred dollars per annum, two-thirds," and by repealing and striking from the said section the words, "remaining half," and inserting and enacting in lieu thereof, and as a part of the said section, the words, "remaining one-third."

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
W. F. Berry,	J. B. Hannah,	Charles Patteson,
Ben F. Bradley,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	J. H. Lunsford,	A. H. Stewart,
Sam E. English,	D. L. May,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—30.

In the negative—Phil Roberts—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to change the boundary line of Clay and Laurel counties,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stewart moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Breckinridge, from the Committee on Railroads—

An act to incorporate the Cincinnati & Kentucky Southern Railroad Company.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled “An act, entitled ‘An act to amend and reduce into one the several acts in relation to the town of Danville,’ ” approved March 10, 1873.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to declare Horse Fork creek a navigable stream.

By Mr. Roberts, from the same committee—

An act to declare Rock Lick creek, in Breckinridge county, a navigable stream.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to amend an act to authorize the people of Boyle county to vote on prohibiting the sale of liquors in said county, approved January, 1890.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Huff, from the Committee on Public Health, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to establish a State Board of Pharmacy, defining its duties and powers, and to regulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 13, 1888,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the above-named act be, and the same is hereby, amended as follows: Amend section 6 by striking out all of said section after the word "act," in the tenth line, and inserting in lieu thereof, the following, "the registration fee in all cases to be \$5."

§ 2. Also amend by striking out all of section 15, and inserting in lieu thereof: "This act shall only apply to incorporated cities and towns of this Commonwealth."

§ 3. This act shall take effect from its passage.

Mr. Glenn moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Glenn proposed to amend said bill as follows, viz:

This act shall not apply to the counties of Marshall, McCracken, Ballard and Carlisle.

Mr. Pieratt proposed to amend said bill as follows, viz:

Amend by exempting the counties of the Thirty-fourth Senatorial District from the provisions of the bill.

Mr. May proposed to amend said bill as follows, viz:

The provisions of this act shall not apply to any incorporated town or city in this Commonwealth of a population less than four thousand.

Mr. Hendrick proposed to amend said bill as follows, viz:

Amend by adding the following: "*Provided*, the provisions of this bill shall not apply to the counties of Calloway, Lyon, Lyingston and Trigg."

Mr. Darby proposed to amend said bill as follows, viz:

Amend by striking out the words "all incorporated towns," and insert in lieu thereof, the words "all towns of a population of five hundred or more."

Mr. Shearer proposed to amend said bill as follows, viz:

Provided, The provisions of this act shall not apply to the counties of Wayne, Clinton, Cumberland, Adair and Russell.

Mr. Poyntz proposed to amend said bill as follows, viz:

Amend so as to exempt the chemist of Louisville Gas Company from operations of said bill.

Mr. Gates moved that the session of the Senate be extended indefinitely.

And the question being taken thereon, it was decided in the affirmative.

Mr. May moved that said bill and the proposed amendments thereto be postponed indefinitely.

Mr. McCain moved that said bill and the proposed amend-

ments thereto be recommitted to the Committee on Public Health.

Mr. Bradley moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. McCain, and it was decided in the affirmative.

Mr. Huff, from the Committee on Public Health, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Dr. James F. Tutt,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to prohibit the sale of vinous, spirituous and malt liquors in Ohio county," approved May 15, 1886,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. McCann, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to incorporate the North and South Railway Transfer Company, of Louisville, Kentucky,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Poyntz, from the Committee on Finance, to whom was referred leave to bring in a bill, entitled

An act to provide for a registration of voters in the city of Maysville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Poyntz—

Ordered, That said bill be printed, and recommitted to the Committee on Finance.

Mr. Hannah, from the Committee on Military Affairs, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled “An act for the benefit of certain men who belonged to the State troops,” approved March 11, 1867,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. McCain moved that said bill be printed, and that said bill be made the special order of the day for Friday, February 28, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. May moved that said bill be printed, and recommitted to the Committee on Military Affairs, with leave to report at any time.

And the question being taken thereon, it was decided in the affirmative.

Mr. Huff, from the Committee on Public Health, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled “An act to establish a State Board of Health, to provide for the appointment of Local Boards of Health, and a Superintendent of Vital Statistics,” approved March 16, 1878,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That said bill be printed, and made the special order of the day for Tuesday, March 4, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Huff, from the Committee on Public Health, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,'" approved April 25, 1888,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Huff—

Ordered, That said bill be printed, and made the special order of the day for Tuesday, March 4, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Anderson, from the Committee on Privileges and Elections, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution to provide a committee to re-district the State into Congressional Districts,

Reported the same, with an amendment thereto.

Said resolution reads as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That a joint committee of sixteen is hereby created, eleven from the House of Representatives, to be appointed by the Speaker of the House, one from each Congressional District on behalf of the House, and five to be appointed by the Speaker of the Senate on behalf of the Senate. Said committee shall re-district the State into Congressional Districts, and they shall report by bill or otherwise, and may report at any time.

Said proposed amendment reads as follows, viz :

Amend by adding: "§ 2. This resolution to take effect from its adoption."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson.	R. G. Hays,	D. H. Smith,
Ben F. Bradley,	J. B. Hannah,	G. Terry,
Reuben Conner,	John McCann,	J. S. Wortham,
Sam E. English,	Chas. Patteson,	D. W. Wright—14.
G. W. Gates,	J. J. Paul,	

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	J. W. McCain,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
W. W. Dickerson,	J. H. Lunsford,	J. M. Pieratt,
T. L. Glenn,	J. W. Martin,	J. H. Shearer,
John K. Hendrick,	D. L. May,	A. H. Stewart—16.
J. P. Huff,		

So said resolution was disagreed to.

Mr. Dickerson moved to reconsider the vote by which the Senate had disagreed to said resolution.

And the question being taken thereon, it was decided in the affirmative.

Mr. Breckinridge proposed to amend said resolution as follows, viz :

Amend by striking out of the first line the word "sixteen," and insert in lieu thereof, the words "twenty-two."

Amend by striking out of the sixth line the word "five," and insert in lieu thereof the following, "eleven; one from each Congressional District."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	Chas. Patteson,
W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,

R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	J. H. Lunsford,	G. Terry,
Sam E. English,	D. L. May,	J. S. Wortham,
G. W. Gates,	J. W. McCain,	D. W. Wright—29.
T. L. Glenn,	John McCann,	

In the negative—A. H. Stewart—1.

Resolved, That the title of said resolution be as aforesaid.

Mr. Kemp, from the Committee on Revenue and Taxation, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend section 3, of article 7, of chapter 92, General Statutes.

Mr. Wortham proposed an amendment to said bill.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

MONDAY FEBRUARY 24, 1890.

The Speaker of the Senate being absent, at his request Mr. Smith took the chair and presided.

The reading of the Journal of Friday was dispensed with.

By unanimous consent, the rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to authorize Duke Cayce Bowers, a minor, to transact business as a man.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

On motion of Mr. Berry, the consideration of the special orders of the day were postponed for the day.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken and read as follows, viz :

EXECUTIVE DEPARTMENT, }
FRANKFORT, February 24, 1890. }

Gentlemen of the Senate :

I hereby nominate, and by and with the advice and consent of the Senate, will appoint Charles Y. Wilson, Commissioner of Agriculture, Horticulture and Statistics, for the term of two years ending on the second Monday in January, 1892.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Kemp—

Ordered, That said nomination be referred to the Committee on Agriculture and Manufactures.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz :

Resolution providing for an investigation of the Louisville Gas Company.

An act to provide for the incorporation of Young Men's Christian Associations of the State of Kentucky.

An act to amend an act, entitled "An act to incorporate the Bank of Campbellsville."

An act to provide for the completion and furnishing of the Kentucky Institution for the Education and Training of Feeble-minded Children.

An act for the benefit of J. C. Willim, sheriff of Lewis county.

Mr. Wortham, from the special joint committee appointed to investigate the condition of lotteries, reported a bill, entitled

An act to secure the attendance of witnesses before the joint committee appointed to investigate lotteries conducted in this State, and prescribing punishments against witnesses for certain offenses.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Kemp moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed, and read a third time.

Mr. Newman objected to the further reading of said bill on this day.

Mr. Wortham moved that the rules be suspended, and that said bill be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Wright, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. W. Martin,	J. H. Shearer,
Ben F. Bradley,	J. W. McCain,	D. H. Smith,
R. J. Breckinridge,	Chas. Patteson,	A. H. Stewart,
Reuben Conner,	J. J. Paul,	G. Terry,
F. W. Darby,	A. L. Peterman,	J. S. Wortham,
J. B. Hannah,	J. M. Pieratt,	D. W. Wright—22.
John K. Hendrick,		

Those who voted in the negative, were—

John McCann, John P. Newman, Phil Roberts—3.

Mr. Newman raised the point of order that said motion had not carried, because four-fifths of the Senate had not voted in favor of said motion.

Whereupon the Speaker overruled the point of order, and decided the same not well taken.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, This General Assembly, with a view of enacting such laws as might suppress lotteries conducted in this State, passed a joint resolution, which was approved by the Governor on the 28th day of January, 1890, providing for the appointment of a joint committee by the presiding officers of the respective branches of the General Assembly, to investigate

the lotteries conducted and operated in this State; and, whereas, said committee was duly appointed by said presiding officers, with power and authority under said joint resolution to send for persons and papers; to subpœna witnesses; to compel their attendance, and require them to testify under oath; and, whereas, certain witnesses concerned in said lotteries, and certain other witnesses, having knowledge and information concerning same, have refused to testify before said committee, and to give such facts as are within their knowledge in reference to said lotteries; now, therefore, in order to facilitate said investigation, and to obtain such information as may be necessary to legislate intelligently in regard to said lotteries; to punish witnesses, who may refuse to obey a subpœna or a subpœna *duces tecum*; to punish witnesses who refuse to testify, when before said committee, or to give such information as is within their knowledge in relation thereto; to punish witnesses who attempt to evade the service of a subpœna, and to punish witnesses who swear falsely before said committee; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the first-named Senator, appointed by the Speaker of the Senate, in pursuance of said joint resolution approved on the 28th day of January, 1890, shall be chairman of said joint committee, and is hereby fully authorized and empowered to issue subpœnas and subpœnas *duces tecum* for witnesses to appear and testify before said committee; and said subpœnas may be executed by the Sergeant-at-Arms of the Senate or the House of Representatives, or by a sheriff, constable or other peace officer, and said chairman is hereby authorized and empowered to administer an oath to any witness called to testify before said committee.

§ 2. That any person called as a witness to testify before said committee in regard to any lottery, conducted or operated in this State, is a competent witness, although said witness may be concerned as agent, employe or owner in operating or conducting said lottery, and shall be compelled to testify touching such knowledge or information as he may have in regard thereto, but such evidence shall not be used against said witness in any prosecution against him, except for false swearing; and it shall be no exemption for such witness, that his testimony may criminate himself, for he shall not be liable to trial or punishment for any matter about which he may testify.

§ 3. Any person willfully failing to appear before said committee, in obedience to a subpœna or a subpœna *duces tecum*, duly executed upon him, as provided herein, shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five hundred dollars, nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months, upon an indictment in the county where said subpœna was served upon him.

§ 4. Any person called as a witness before said committee,

who shall refuse to testify or give such information as he may have in regard to any lottery, conducted or operated in this State, shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five hundred dollars nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months, upon indictment in the county in which he refuses to testify.

§ 5. Any person who shall willfully and knowingly swear or depose, or give in evidence before said committee that which is false, he shall, upon conviction, be confined in the penitentiary not less than one nor more than five years.

§ 6. If any person, for whom a subpoena has been issued by the chairman of said committee, shall conceal himself or otherwise evade the officer with intent to evade the service of said subpoena upon him, he shall be deemed guilty of a misdemeanor, and, upon conviction, he shall be fined not less than five hundred dollars nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months.

§ 7. That said committee may hold its sessions at any time, which may be fixed by the chairman, and may hold them in the county of Franklin or any other county in the Commonwealth.

§ 8. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hendrick and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. W. Martin,	J. H. Shearer,
R. J. Breckinridge,	J. W. McCain,	A. H. Stewart,
Reuben Conner,	Chas. Patteson,	G. Terry,
F. W. Darby,	J. J. Paul,	J. S. Wortham,
J. B. Hannah,	A. L. Peterman,	D. W. Wright—20.
John K. Hendrick,	J. M. Pieratt,	

Those who voted in the negative, were—

Ben F. Bradley,	John P. Newman,	Phil Roberts—4.
John McCann,		

Resolved, That the title of said bill be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wortham moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Clark County Agricultural Association.

By same—

An act to incorporate the town of Bandana, in Ballard county.

By same—

An act for the benefit of the Park's Ferry and Bethel Turnpike Road Company, in Nicholas and Bath counties.

By same—

An act to amend an act, entitled "An act to amend the charter of the town of Wickliffe, in Ballard county," approved February 18, 1888.

By same—

An act to amend the charter of the town of Glasgow Junction, in Barren county.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

An act to prevent cattle or any kind of stock from running at large on the turnpike roads in Robertson county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Kemp, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Taylor Bank of Campbellsville ;

An act to incorporate the town of Maytown, Morgan county ;

An act to incorporate the Mt. Sterling Fair Association ;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to incorporate the Keystone Natural Gas Company ;

An act for the benefit of J. W. Dougherty, of Nelson county ;

An act to incorporate the Owensboro Insurance Company ;

An act to amend an act, entitled "An act to incorporate the trustees of the First Presbyterian Church of Louisville," approved February 21, 1880 ;

An act creating the office of Inspector of Buildings for the city of Louisville ;

An act to incorporate the Deposit Bank of Beaver Dam, Kentucky ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of New Columbus, in Owen county,' " approved February 23, 1874, and all subsequent amendments thereto ;

An act to incorporate the Bank of Cumberland ;

An act to empower and authorize the city of Bowling Green to issue \$20,000 of public improvement bonds ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the charter of the town of Owingsville, Bath county, Kentucky ;"

An act to incorporate the board of trustees of the Kentucky Universalist Convention ;

An act to declare Brush creek, in Floyd county, a navigable stream ;

An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886 ;

An act authorizing the trustees of the town of South Louisville to issue \$50,000 of bonds of said town for municipal purposes ;

An act to amend the charter of the town of Catlettsburg, Boyd county ;

An act to amend section 5, of an act, entitled "An act to prescribe the mode of condemning land for the use of railroad and turnpike companies," approved April 11, 1882;

An act to authorize the Pendleton County Court to borrow money in aid of building turnpike roads, and provide a sinking fund therefor ;

An act to amend the charter of the city of Owensboro, to empower the common council of said city to levy a tax each year for the purpose of defraying expenses of said city ;

An act for the benefit of John W. Ridgeway, of Henry county, and allowing him certain credit by the Auditor in his next settlement as sheriff of Henry county ;

An act to amend an act, entitled "An act to allow the citizens of Henry county to vote a tax in aid of turnpike road companies, and to require the commissioners to make annual reports to the county judge, etc., in Districts Nos. 2 and 3, and prescribe penalties for failure ;"

An act to incorporate Union Encampment No. 70, Independent Order of Odd Fellows, of Paducah ;

An act to amend an act, entitled "An act to incorporate the Greenwood and Massey's Mill Turnpike Company ;"

An act to amend an act, entitled "An act to incorporate the town of Pleasant Home, in Owen county," approved March 26, 1888 ;

Resolution authorizing and directing the Auditor of Public Accounts to place certain moneys to the credit of the State Treasurer ;

Resolution urging the passage of a bill by Congress for the benefit of the Big Sandy river ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the

committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Kemp reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hendrick—

1. A bill to repeal an act, entitled “An act to incorporate the Ironside Bank, of Southland,” approved May 4, 1888, and to enact the following in lieu thereof.

On motion of same—

2. A bill to amend the law as to the distribution of insolvent estates.

On motion of same—

3. A bill to prohibit the running at large of stock in certain parts of Livingston county.

On motion of Mr. Darby—

4. A bill to amend title 9, chapter 2, subdivision 3, of Civil Code of Practice, title “Verdict.”

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on the Judiciary the 2d and 3d, and the Committee on Codes of Practice the 4th.

Mr. Anderson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And the yeas and nays being required thereon by Messrs. Roberts and Peterman, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. H. Stewart,
Ben F. Bradley,	J. W. McCain,	G. Terry,
R. J. Breckinridge,	Chas. Patten,	J. S. Wortham—13.
F. W. Darby,		

Those who voted in the negative, were—

Reuben Conner,	A. L. Peterman,	Phil Roberts,
J. B. Hannah,	J. M. Pieratt,	J. H. Shearer,
J. W. Martin,	Chas. B. Poyntz,	D. W. Wright—11.
John McCann,	B. F. Reynolds,	

And then the Senate adjourned.

TUESDAY, FEBRUARY 25, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to establish a board of commissioners for Owen county, and to define their duties.

An act to incorporate the Fox Creek and Mercer county Turnpike Road Company, in Anderson county.

An act for the benefit of the East End Improvement Company.

An act to incorporate the Three States Banking and Trust Company.

An act to repeal an act to regulate the sale of spirituous, vinous or malt liquors, in Henry county, approved April 13, 1886, and amendment thereto, approved May 7, 1886, and to regulate and make uniform the license and sale of spirituous, vinous or malt liquors, and define the rights of trustees of towns and the county court in reference to license in Henry county.

An act to amend an act, entitled "An act to incorporate the Bank of Murray, Calloway county."

An act to incorporate the Hebron Church Cemetery Company.

An act to amend the charter of the Northern Bank of Kentucky.

An act to extend the time for beginning in the State the location and construction of the line of the West Virginia & Iron-ton Railroad Company.

An act to incorporate the American Bank, Trust and Guarantee Company.

An act to incorporate the Confederate State Association of Kentucky.

An act to authorize the Commissioners of the Sinking Fund to make improvements in the Penitentiary at Frankfort.

An act to amend the charter of the city of Augusta, Kentucky.

An act to create Persimmon Grove voting precinct, in Campbell county, a magisterial district.

An act to establish a criminal court in Marion county.

An act to change the time for the examination of candidates for county superintendent.

An act for the No. 2 Colored Common School District, for Montgomery county.

An act regulating and defining the terms of the justices courts in Paducah, McCracken county.

An act to incorporate the Bruner's Chapel, Liberty and Cedar Grove Turnpike Company.

An act to incorporate the Kentucky Dime Savings Bank.

An act to incorporate the Farmers Savings Bank, of Lewisport.

An act to incorporate the Winchester Bank, of Winchester.

An act to incorporate the Fayette Safety Vault and Trust Company.

Resolution in relation to the improvement of Kentucky river.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Miss Ida Allen, of Daviess county.

An act to amend the charter of the Henderson State Line Railroad Company, approved April 12, 1888.

An act to incorporate the Williamsburg Banking Company.

An act for the benefit of Jefferson county.

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same," approved May 18, 1836.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Princeton Collegiate Institute, in town of Princeton, Caldwell county, and other purposes," approved March 21, 1882.

An act for the benefit of White District No. 73, Lawrence county.

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Somerset."

An act to amend an act, entitled "An act to provide for the reorganization, maintainance and supervision of common schools in the town of Louisa and the vicinity," which became a law April 16, 1886, and the amendments thereto.

That they had refused to concur in an amendment adopted by the Senate to a joint resolution, which originated in the House of Representatives, entitled

Resolution to provide for a committee to redistrict the State into Congressional districts.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to establish and endow academies," approved December 22, 1798, and the various acts amendatory thereto.

2. An act to amend the charter of Bethel College of Russellville.

3. An act to amend an act, entitled "An act to incorporate the Henderson Belt Railroad Company," approved May 12, 1888.

4. An act to incorporate the Norton University.

5. An act to incorporate the Louisville Central Law School.

6. An act for the benefit of School District No. 4, in Greenup county.

7. An act for the benefit of Common School District No. 15, Bracken county.

8. An act to charter an institution of learning by the name and style of the Edmonton High School, at Edmonton, Metcalfe county, Kentucky.

9. An act for the benefit of Common School District No. 1, in Grayson county.

10. An act for the benefit of Common School District No. 21, Lincoln county.

11. An act for the benefit of Common School Districts 49 and 60, Lincoln county.

12. An act to relieve D. L. Grace of the disabilities of infancy,

13. An act for the benefit of School District No. 33, in the county of Campbell.

14. An act to organize and establish a system of public schools in Slaughtersville, Webster county, for white children.

15. An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, Henderson county, changing the boundary thereof, and adding same to other districts.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 14th, and 15th to the Committee on Education; the 3d to the Committee on Railroads, and the 12th to the Committee on Propositions and Grievances.

Mr. Hendrick moved that the special orders of the day be postponed for the day, and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Southern Oil and Gas Company.

By Mr. Newman, from the Committee on Courts of Justice—

An act to amend an act, entitled, "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to re-incorporate the same," approved April 28, 1884.

By same—

An act to amend the charter and extend the boundary of the town of Bellevue, in Campbell county.

By Mr. McCann, from the same committee—

An act regulating the election of directors, trustees or managers of the institutions of the city of Louisville, whose directors, trustees or managers are by law elected by the general council of the city of Louisville.

By same—

An act to amend the charter of the city of Louisville.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of School Districts Nos. 20 and 43, Morgan county.

By same—

An act for the benefit of H. E. Ferguson, of Monroe county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled :

An act to amend an act to incorporate the town of Fancy Farm, in Graves county,

Which was granted.

Whereupon the Speaker appointed Mr. Kemp said committee on the part of the Senate.

After a short time, Mr. Kemp, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Kemp moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage of a bill, entitled

An act to amend an act to incorporate the town of Fancy Farm, in Graves county,

Which was granted, and said bill was delivered to the messenger.

Mr. Stewart was appointed a committee on the part of the

Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned from the hands of the Governor, of a bill, which originated in the Senate, entitled

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county.

After a short time, Mr. Stewart, from said committee, reported that the committee had performed that duty, and that said bill had been delivered into the possession of the House of Representatives.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was recommitted a bill, which originated in the Senate, entitled

An act regulating the sale of vinegar,

Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That all barrels, kegs, or packages, in which vinegar is placed and offered for sale in this Commonwealth, shall be so labeled, branded or marked as to describe the process of manufacture of the contents, and shall, on the said label, brand or mark on the outside of the said barrel, keg, or package, state from what material the vinegar in the said barrel, keg, or package is made; whether from fruit, by natural fermentation, or from malt, grain or acid.

§ 3. That any person or persons selling, or offering for sale, in this Commonwealth, any vinegar not so marked and described as in the first section of this act, and the vinegar sold, or offered for sale, does not correspond, and is not as represented by the label, mark, or brand on the barrel, keg, or package, then the person or persons shall be deemed guilty of a misdemeanor, and fined, upon conviction, not less than twenty-five dollars and not more than one hundred dollars.

§ 3. That all police courts and courts of justices of the peace in this Commonwealth shall have jurisdiction of the offense named in this act.

§ 4. This act shall take effect and be in force from and after the first day of June, 1890.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred the nomination by the Governor of Charles Y. Wilson to be Commissioner of Agriculture, Horticulture and Statistics, for the term of two years, ending on the second Monday in January, 1892,

Reported the same, with the expression of opinion that said nomination be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of W. H. Maynard, sheriff of Pike county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, At the August term, 1889, of the Pike Circuit Court, Valentine Hatfield, Doc Mayhorn and Plyant Mayhorn, were convicted of murder, and sentenced to confinement in the penitentiary for life, and pending an appeal for a new trial, were ordered by said court to be conveyed to, and confined in, the jail at Lexington, Kentucky, for safe-keeping ; and, whereas, there being great apprehension that an attempt would be made by the friends of said prisoners to rescue them, the line of travel being through a mountainous country, and in close proximity to them, said court made an order directing the sheriff of Pike county to summon a guard of twenty-five men to guard said prisoners to Richardson, Kentucky, a distance of fifty-five miles, which was the nearest railroad depot, and there discharge twenty-three of them, and take the other two of them as guards to Lexington ; and, whereas, said sheriff did execute the order of the court, and in doing so, incurred an expense of one hundred and fifty-three dollars and ninety-five cents, which was paid by him ; and, whereas, a claim for said amount has been presented to the Auditor and disallowed by him, because there is no existing law authorizing the payment of the same ; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant upon the Treasury in favor of said W. H. Maynard, for one hundred and fifty-three dollars and ninety-five cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	C. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
Sam E. English,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	J. S. Wortham,
R. G. Hays,	John P. Newman,	D. W. Wright—29.
J. B. Hannah,	Charles Patteson,	

Those who voted in the negative, were—

D. H. Smith,

G. Terry—2.

Resolved, That the title of said bill be as aforesaid.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to regulate appeals in equity cases,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That in all appeals in equity actions, whether the issues be ordinary or equitable, judgment shall be given according to the right of the matter, as it shall appear to the Appellate Court from the record, without reference to the judgment of the court below, and as though no finding of fact had been made in the court from which the appeal is taken.

§ 2. This act shall take effect from its passage.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend section 554 of the Civil Code of Practice,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 534 of the Civil Code of Practice be amended so as to read as follows: "That subject to the provisions of section 556, a witness shall not be compelled to attend for examination upon the trial of a civil action, if he or she reside more than twenty miles from the place where the court sits in which the action is pending; nor to attend to give his or her deposition out of the county in which he or she resides, unless the party in whose interest he or she may be summoned, shall pay, or secure to be paid, to each witness, their per diem as now allowed by law, and mileage for the distance over twenty miles they have to travel in attending such trial.

§ 2. This act shall take effect from its passage.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act giving exclusive original jurisdiction to county court judges, police courts and courts of justices of the peace of all offenses for violation of any of the penal statutes of the State when the penalty is a fine not exceeding one hundred dollars and fifty days' imprisonment in the county jail, and to repeal so much of subsections 4 and 5, of section 13, and all amendments thereto of title 2, of the Criminal Code of Practice, that comes in conflict with this act,

Asked to be discharged from the further consideration of said leave.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the judges of the county courts, police courts, and courts of justices of the peace, shall have exclusive original jurisdiction of all offenses for a violation of any of the penal statutes of the State, when the penalty does not exceed one hundred dollars' fine and fifty days' imprisonment in the county jail; and so much of subdivisions 4 and 5, of section 13, of title 2, and the amendments thereto, of the Criminal Code

of Practice, that comes in conflict with this act, is hereby repealed.

§ 2. This act to take effect and be in force from and after its passage.

And the question being taken on discharging the committee from the consideration of said leave, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Berry, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	C. B. Poyntz,
F. W. Darby,	D. L. May,	Phil Roberts,
Sam E. English,	James H. Mulligan,	G. Terry,
R. G. Hays,	J. W. McCain,	J. S. Wortham,
J. B. Hannah,	Chas. Patteson,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	B. F. Reynolds,
R. J. Breckinridge,	J. P. Huff,	J. H. Shearer,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
Reuben Conner,	John McCann,	A. H. Stewart—12.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of P. H. Haley, a justice of the peace of Daviess county;

An act to amend the charter of the Henderson State Line Railroad Company, approved April 12, 1888;

An act to amend an act, entitled "An act incorporating the United States Mail Line Company," approved February 27, 1865;

An act for the benefit of Miss Ida Allen, of Daviess county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend and reduce into one the acts incorporating the town of Paintsville;

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company;"

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867;

An act to incorporate the Middlesborough Water Company;

An act to incorporate the Somerset Water Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Louisville Dime Savings Company.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act to establish an Insurance Bureau, approved March 10, 1870.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend section 3, of article 7, of chapter 92, General Statutes.

Mr. Wortham withdrew the amendment heretofore proposed by him to said bill.

Mr. McCain moved that said bill be referred to the Committee on Revenue and Taxation.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 3, of article 7, of said chapter

be, and the same is hereby, amended, by adding at the end of said section the following words: *And be it further enacted and provided*, That it shall be the duty of said board, before it shall proceed to raise any person's tax-list, to issue a notice directing such person to appear before the Board of Supervisors, on a day to be specified in the notice, which shall not be less than three days from the date of same, and show cause, if any he can, why his tax-list shall not be raised, which notice shall at once be delivered to, and executed by, the sheriff, or other authorized officer, and returned as process in civil causes. Every tax-payer thus notified shall be privileged to appear before said board and show whether or not his assessment is below a fair and reasonable taxable value of the property; and for such purpose the board may adjourn its sessions for a period not exceeding three days: *Provided*, The whole number of days for the sitting of said board shall not exceed the time now prescribed by law: *And, provided*, The county levy court shall pay the sheriff for serving said notices.

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Speaker announced the appointment of James McAuliffe as Assistant Enrolling Clerk of the Senate, for the present session, who then took the oath prescribed by the Constitution and laws of this Commonwealth.

The Speaker announced the appointment of Messrs. Poyntz, Breckinridge, Bradley, Hendrick and Kemp a committee on the part of the Senate, in pursuance of a joint resolution authorizing the appointment of a joint committee, to investigate the condition of the Louisville Gas Company.

Mr. Stewart withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to change the boundary line of Clay and Laurel counties.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hendrick—

1. A bill to authorize the court of claims of Livingston county to levy an ad valorem tax for bridge purposes.

On motion of Mr. Wortham—

2. A bill, entitled "An act to incorporate the Farmers' Bank of Leitchfield."

On motion of Mr. Breckinridge—

3. A bill to repeal an act, entitled "An act to amend the charter of the Danville and Hustonville Turnpike Road Company."

On motion of Mr. Martin—

4. A bill to incorporate to the Muhlenberg County Fair Company.

On motion of Mr. Anderson—

5. A bill, entitled "An act to amend an act, entitled 'An act regulating the exemptions of personal property from execution, attachment, distress for rent and fee-bills in this Commonwealth,'" approved May 17, 1886.

On motion of Mr. Hannah—

6. A bill to amend an act, entitled "An act to incorporate the Ashland & Catlettsburg Street Railway and Transfer Company," approved March 19, 1873.

On motion of same—

7. A bill to authorize Lawrence county to procure for the Ohio & Big Sandy Railroad the right of way for said road through said county.

On motion of Mr. Peterman—

8. A bill, entitled "An act to incorporate the Kentucky Southern Oil and Gas Company."

On motion of English—

9. A bill to amend the charter of the Westview Building Company, and to change its name.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Banks and Insurance the 2d, 8th and 9th; the Committee on Internal Improvements the 3d; the Committee on Agriculture and Manufactures the 4th; the Committee on General Statutes the 5th, and the Committee on Railroads the 6th and 7th.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled “An act to incorporate the Valley Turnpike Road Company,” approved February 20, 1884.

By same—

An act to incorporate the Fayette Land Company, of Fayette county, Kentucky.

By same—

An act to authorize the town of Beattyville, in Lee county, to issue bonds to pay off its present floating indebtedness, to improve its streets, alleys and sidewalks, and to build bridges.

By same—

An act to amend the charter of the Big Stoner Turnpike Road Company.

By same—

An act for the benefit of the Mt. Sterling Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large on said turnpike road.

By same—

An act to amend chapter 1467, of the Acts of 1883-4, approved May 12, 1884, authorizing the county court at its county court of claims to levy an ad valorem tax and fix the county levy in Russell county.

By Mr. Newman, from the Committee on Courts of Justice—

An act for the benefit of A. C. Holmes, of Fulton county.

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to establish and endow academies,” approved December 22, 1798, and the various acts amendatory thereto.

By same—

An act for the benefit of Common School District No. 15, Bracken county.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on Banks and Insurance, to

whom was recommitted a bill, which originated in the Senate, entitled

An act to regulate banks and banking in this Commonwealth,

Reported the same, with an amendment as a substitute therefor.

On motion of Mr. Hendrick—

Ordered, That said substitute be printed, and that the further consideration of said bill and proposed substitute be postponed, and that said bill be made the special order of the day for Friday next, February 28th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. McCain, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend section 745, of the Civil Code of Practice,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Mr. Smith objected to the further reading of said bill on this day.

So the said bill fell into the orders of the day.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act providing for the establishment of graded common school districts and schools in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Peterman—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, March 12, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to incorporate the Frankfort Masonic Temple Company.

Ordered, That said bill be read a third time.

The constitutional provision as to the first reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth."

(For bill, see Senate Journal, January 31st, page 312.)

The question being on the motion heretofore entered by Mr. McCain, to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hays moved to reconsider the vote by which said bill was read a third time.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the passage of said bill, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John P. Newman,	Phil Roberts,
W. F. Berry,	Chas. Patteson,	D. H. Smith,
B. F. Cockrell,	Chas. B. Poyntz,	G. Terry,
John R. Kemp,	B. F. Reynolds,	J. S. Wortham—13.
James H. Mulligan,		

Those who voted in the negative, were—

Ben F. Bradley,	J. B. Hannah,	J. W. McCain,
R. J. Breckinridge,	John K. Hendrick,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
T. L. Glenn,	D. L. May,	D. W. Wright—15.

So said bill was disagreed to.

Mr. Breckinridge moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Breckinridge moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	D. W. Wright—11.
T. L. Glenn,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	James H. Mulligan,	Phil Roberts,
W. F. Berry,	Chas. Patteson,	D. H. Smith,
B. F. Cockrell,	Chas. B. Poyntz,	G. Terry,
John R. Kemp,	Ben F. Reynolds,	J. S. Wortham—12.

Pending the further consideration of said bill, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

WEDNESDAY, FEBRUARY 26, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Three Forks Deposit Bank, of Beattyville, Kentucky.

An act for the benefit of Wolford Lodge No. 68, I. O. O. F.

That they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky.

That they had passed bills and adopted a joint resolution of the following titles, viz :

1. An act to incorporate the Asher Lumber Company.
2. An act to amend chapter 29, General Statutes, entitled "Crimes and Punishments."
3. Resolution raising a joint committee to examine the books, affairs, etc., of the A. and M. College.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Internal Improvements ; the 2d to the Committee on General Statutes, and the 3d, the resolution, was referred to the Committee on Education.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Peterman, from the Committee on Education—

An act for the benefit of H. R. Bourland, of Hopkins county.

By same—

An act extending and enlarging the boundary of Common School District No. 17, white, Madison county.

By same—

An act to incorporate the Bremen College, including Perryman Male and Female Academy, of Bremen, Muhlenberg county, Kentucky.

By Mr. Poyntz, from the Committee on Finance—

An act to authorize and empower the Wolfe County Court to levy and collect an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to prevent the obstruction of the Licking river.

By Mr. Wright, from the Committee on General Statutes—

An act for the benefit of Monroe county.

By same—

An act to regulate municipal elections in city of Bowling Green.

By same—

An act to provide for the registration of voters in the city of Bowling Green.

By Mr. Anderson, from the same committee—

An act prohibiting any person from riding or driving on any sidewalk within one-half mile of Owensboro, on Frederica street, extended, known as the Livermore Road.

By same—

An act to amend an act, entitled “An act to authorize the county of Spencer to refund its bonded indebtedness,” approved February 15, 1888.

By same—

An act to amend an act, entitled “An act to incorporate the town of Port Royal, in Henry county, and the amendments thereto.

By Mr. McCann, from the same committee—

An act to amend an act, entitled “An act to incorporate the Kentucky Rock Gas Company.”

By Mr. Terry, from the same committee—

An act to amend an act, entitled “An act to establish a new charter for the town of Elkton, Todd county.”

By Mr. Hendrick, from the Committee on the Judiciary—

An act to prohibit the running at large of stock in certain parts of Livingston county.

By same—

An act to authorize the court of claims of Livingston county to levy an ad valorem tax for bridge purposes.

By Mr. Peterman, from the Committee on Education—

An act to prevent trespassing on lands in Madison county.

By same—

An act to prevent shipping for market partridges out of McLean and Daviess counties within two years.

By Mr Newman, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to incorporate the district of Clifton, in Campbell county,” approved February 15, 1888.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the board of trustees of the town of Eddyville, Lyon county, to sell or lease certain streets of said town.

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration the amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky.

The House of Representatives having refused to concur in said amendment.

Mr. Breckinridge moved that the Senate recede from its said amendment.

And the question being taken thereon, it was decided in the affirmative.

Mr. Breckinridge moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

Mr. Breckinridge proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr Wright, from the Committee on General Statutes—

An act to amend an act, entitled “An act to authorize the Carroll County Court to take stock in turnpike roads in said county and the amendments thereto.”

By Mr. Anderson, from the same committee—

An act to incorporate the Central Contract Company.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to legalize an order of the Larue County Court of Claims—

By same—

An act to incorporate the town of Alvaton, in Warren county.

By same—

An act for the benefit of Johnnie Thomas, of Fleming county.

By same—

An act for the benefit of the married women of this Commonwealth.

By same—

An act to relieve D. L. Grace of the disabilities of infancy.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act to amend section 8, chapter 457, Acts of 1883 and 1884, incorporating the town of Olive Hill.

By same—

An act to change and make legal the spelling of the name Daviess, of Daviess county.

By Mr. Newman, from the same committee—

An act to prevent trespassing on lands in Jessamine county.

By same—

An act for the benefit of Jacob H. Simpson.

By same—

An act to incorporate the town of Burnside, Pulaski county, Kentucky.

By same—

An act to incorporate the Newport Electric Car Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration the unfinished report of the Committee on Codes of Practice, being a bill, which originated in the Senate, entitled

An act to amend section 745, of the Civil Code of Practice.

Which bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 745 of the Civil Code of Practice, be, and the same is hereby, amended, by striking out the word "two," where it occurs in the first clause of said section, and inserting in lieu thereof the word "one."

§ 2. All laws in conflict with the provisions of this act are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCain and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	A. L. Peterman,
Reuben Conner,	J. B. Hannah,	J. M. Pieratt,
F. W. Darby,	J. W. McCain,	Chas. B. Poyntz,
Sam E. English,	John McCann,	A. H. Stewart—16.
T. L. Glenn,		

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	Phil. Roberts,
R. J. Breckinridge,	William Lindsay,	J. H. Shearer,
B. F. Cockrell,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	D. L. May,	G. Terry,
John K. Hendrick,	Chas. Patteson,	J. S. Wortham,
J. P. Huff,	J. J. Paul,	D. W. Wright—18.

So said bill was rejected.

Mr. Hendrick moved that the special orders of the day be postponed for the day, and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prevent marriages of first cousins in this Commonwealth,

Reported the same with the expression of opinion that said bill ought not to pass.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall hereafter be unlawful for first cousins to marry each other in this Commonwealth, and any clerk who shall issue license to any person to marry, who are so related to each other, shall be fined not less than five hundred dollars, or imprisoned in the county jail for not less than six months nor more than twelve months, or both such fine and imprisonment.

§ 2. Any minister of the gospel, or other persons authorized to solemnize marriage in this State, who shall knowingly marry any persons who are related to each other as set out in section 1,

shall be fined not less than one hundred dollars, and imprisoned in the county jail not less than twenty days.

§ 3. This act to take effect from its passage.

The question was then taken on ordering said bill to a third reading, the opinion to the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

B. F. Cockrell,	J. P. Huff,	J. J. Paul,
F. W. Darby,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	James H. Mulligan,	J. H. Shearer,
R. G. Hays,	John P. Newman,	D. W. Wright—13.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
Sam E. English,	D. L. May,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	G. Terry,
Wm. Goebel,	John McCann,	J. S. Wortham—21.

So said bill was disagreed to.

Mr. Hannah read and laid on the table the following joint resolution, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That Senate bill No. 116, entitled "An act to repeal an act, entitled 'an act to prevent the drifting of saw-logs on the Licking river below Salyersville,'" now on the Senate Clerk's desk, be returned to the Governor for his approval or disapproval, as to him may seem proper, and the Clerk of the Senate is directed to execute this resolution.

2. This resolution shall take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

Mr. Bradley moved to reconsider the vote by which the Committee on Codes of Practice was discharged from the further consideration of the leave to bring in a bill, entitled

An act giving exclusive original jurisdiction to county court judges, police courts and courts of justices of the peace of all offenses for violation of any of the penal statutes of the State when the penalty is a fine not exceeding one hundred dollars and fifty days' imprisonment in the county jail, and to repeal so much of subsections 4 and 5, of section 13, and all amendments thereto of title 2, of the Criminal Code of Practice, that comes in conflict with this act.

Which motion was simply entered.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Royal Gas Company ;

An act for the benefit of Jefferson county ;

An act to amend the charter of the town of Glasgow Junction, in Barren county ;

An act for the benefit of the Park's Ferry and Bethel Turnpike Road Company, in Nicholas and Bath counties ;

An act to amend the charter of the Three Forks Deposit Bank, of Beattyville, Kentucky ;

An act to incorporate Keene Cemetery Company, in Jessamine county ;

An act for the benefit of Wolford Lodge No. 68, I. O. O. F.

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to authorize Duke Cayce Bowers, a minor, to transact business as a man ;

An act to amend an act, entitled "An act to incorporate the Princeton Collegiate Institute, in town of Princeton, Caldwell county, and other purposes," approved March 21, 1882 ;

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Somerset ;"

An act to amend an act, entitled "An act to provide for the reorganization, maintainance and supervising of common schools in the town of Louisa and the vicinity," which became a law April 16, 1886, and the amendments thereto ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	J. P. Huff,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	William Lindsay,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	D. H. Smith,
F. W. Darby,	James H. Mulligan,	A. H. Stewart,
Sam E. English,	Chas. Patteson,	J. S. Wortham—26.
T. L. Glenn,	J. J. Paul,	

So said bill was disagreed to.

Mr. Kemp moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Kemp moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to establish a true north and south line, and requiring the variations of the magnetic course to be recorded in each county.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That there is hereby authorized and directed to be erected near the court-house at each county seat in the State, a true north and south line, the same to be made by two stones or iron posts, firmly set, not less than 100 feet apart, with a pointer or sight to each.

§ 2. That each county surveyor, under a penalty of \$50.00 for each failure herein, recoverable as road fines are, shall, once in each year, between the 1st of April and the 1st of June, test his instrument by said north and south line, and have the variation recorded in the county clerk's office, and all surveys made thereafter shall be by the true course instead of the magnetic course.

§ 3. That it shall be part of the duty of the State Geologist to cause the said true line to be made and established.

§ 4. That the court of each county shall provide for the cost of the two stone or iron posts to be used for said north and south line.

§ 5. This act shall take effect from its passage.

Mr. Mulligan moved to amend said bill by exempting the counties of Fayette and Grayson from the provisions thereof.

Mr. McCain moved to postpone the further consideration of said bill and proposed amendment indefinitely.

Mr. Hendrick moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

And the yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. W. McCain,
R. J. Breckinridge,	J. P. Huff,	Chas. Patteson,
B. F. Cockrell,	John R. Kemp,	J. J. Paul,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
T. L. Glenn,	J. W. Martin,	Phil Roberts,
William Goebel,	D. L. May,	J. H. Shearer—19.
J. B. Hannah,		

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	D. H. Smith,
Ben F. Bradley,	James H. Mulligan,	A. H. Stewart,
F. W. Darby,	John McCann,	G. Terry,
W. W. Dickerson,	A. L. Peterman,	J. S. Wortham,
R. G. Hays,	Chas. B. Poyntz,	D. W. Wright—15.

So said bill was rejected.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to amend the law as to the distribution of insolvent estates,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hendrick—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday next, March 5th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to provide for calling a convention to amend the Constitution.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That a convention to revise and amend the present Constitution of the State, or to enact a new Constitution, is hereby called to meet in the hall of the House of Representatives, in the city of Frankfort, at 12 M., on Tuesday, the 7th day of October, 1890. Said convention shall consist of one hundred and ten delegates, to be chosen as follows, viz : Each county and each — district shall have the same number of delegates as they are now entitled to members of the House of Representatives, under the provisions of the present apportionment law ; the remaining ten delegates shall be voted for by the State at large. Not more than one of said delegates shall be from any one county. Any qualified elector shall be eligible as a delegate. The convention shall be the judge of the qualification and election of its members.

§ 2. An election shall be held for delegates on Monday, the 4th day of August, 1890, and the Governor is hereby required to issue his proclamation immediately after the passage of this act, directing an election to be held in each county in the State, on the above date, for delegates to said convention. Said election shall be held and conducted at the same places, and in the same manner, as elections for members of the Legislature are now held ; and all persons, who are qualified electors under the present Constitution and laws of this State, shall be entitled to vote at said election ; and the votes cast at said election shall be counted and returned in the same manner, and within the same time, and by the same officers as now provided by law in cases of general elections ; and certificates shall issue to delegates elected from the counties and legislative districts, in the same manner as now required by law for members of the Legislature. Returns shall be made to the Secretary of State of the vote for delegates at large, in the same manner as is now required by law in the election of State officers, and the delegates so elected shall receive their certificates from the Secretary of

State. If any ballot shall contain more names for any district or county than is authorized to be chosen by this act, none of the names for such district or county shall be counted ; but this shall not invalidate the remainder of the ticket.

§ 3. It shall be the duty of the delegates elected as aforesaid to assemble at the time and place designated in the first section of this act, with general powers of adjournment as to time and place. It shall be the duty of the Secretary of State to call said convention to order, and to submit all the returns of the election of delegates in his possession, and read the aforesaid proclamation of the Governor. After said members shall have taken an oath to support the Constitution and laws of the United States, and to faithfully discharge their duties as delegates, they shall organize by electing one of their number president, and selecting such other officers and employes as may be needed in the transaction of business. A majority of the delegates authorized by this act shall constitute a quorum, and a majority of votes cast shall be necessary to an election.

§ 4. In case of vacancy from any county or floater district, the same shall be filled as now provided by law for filling vacancies in the Legislature. If a vacancy or vacancies should occur among the delegates at large, the same shall be filled by the remaining delegates at large.

§ 5. The compensation of delegates to said convention shall be five dollars per day for each day said convention may be in session, and the same mileage now allowed by law to members of the Legislature ; and the convention shall regulate the compensation of its officers and employes.

§ 6. The sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated to defray the expenses of said convention, and the Auditor of Public Accounts is hereby authorized and required to issue his warrant on the Treasurer, upon the certificate of the president of said convention, countersigned by the clerk or secretary, for any expenditure under the provisions of this act.

§ 7. That this act take effect from its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act for the better protection of food fish in Green river and its tributaries,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Mr. Peterman moved to amend said bill by striking out the words "gigs," immediately after the word "drag," in the fourth line of section 1.

And the question being taken on the adoption of said amendment, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Stewart, from the Committee on Privileges and Elections, to whom was recommitted a bill, which originated in the Senate, entitled

An act to protect the poll-books, ballot-boxes and election officers of all county, State and national elections held in this Commonwealth,

Reported the same with an amendment as a substitute therefor.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be the duty of the county judges in this Commonwealth, before each county, State and national election, to provide for, and secure in each voting precinct in their respective counties, a suitable room or other inclosure in which to hold such election, the same to be so arranged that no one, except those hereinafter named, can come nearer than thirty feet of the poll-books; or if such room can not be secured, or if, with the addition of railing or guarding, such room can not be secured at reasonable cost, then he shall cause to be erected an inclosure of railing or guarding, with only one entrance, at each voting place, as will leave a space of thirty feet between the center or the place the poll-books are to be kept and such railing or guarding.

§ 2 No one shall be permitted to go inside of said inclosure from the time the polls are opened till they are closed, the votes counted and certified, except the officers of election; one entrance guard, appointed by them; one agent or representative of each candidate to be voted for at such election, and not more than three voters at any one time; and no voter shall remain on the inside of said inclosure longer than five minutes, unless a question arises as to his right to vote, in which case, if desired by the officers, he shall remain until such question is decided, and, if deemed necessary, the officers may call in witnesses upon the point in question; such witnesses shall retire from the inclosure immediately after their testimony is given.

§ 3. An agent or representative of each candidate shall be authorized to enter and remain within the inclosure: *Provided,*

That the candidate or candidates to be voted for, or the county chairman of the political party to which the candidate or candidates belong, shall make in writing a request therefor to the election officers: *And, provided*, That the person so designated is a reputable citizen of good standing in the county.

§ 4. Any officer of the election, or agent of any candidate, shall have the right to challenge any person offering to vote, but it shall be unlawful for any one on the inside of the inclosure to engage in electioneering, or to solicit the vote of any elector for any person or measure, or suggest how any elector should or should not vote, but the officers of the election may give any information necessary to enable the elector to intelligently cast his vote or deposit his ballot.

§ 5. It shall be unlawful for any person to have or drink any spirituous, vinous or malt liquors on the inside of said inclosure, or for any person, not herein authorized, to enter such inclosure from the time the polls are opened until they are closed. Any person so offending shall, upon conviction, be fined not less than ten nor more than twenty-five dollars.

§ 6. It shall be unlawful for any person, on the inside the inclosure, to engage in electioneering, or to solicit the vote of any elector, or suggest that he vote for or against a certain person or measure; or for the election officers or other person to take from such inclosure the poll-books or ballot-box, from the time the polls are opened until they are closed, the vote counted and certified, or for any person at any time, without permission of the county judge, to tear down or injure such inclosure, or to injure or remove any material thereof. Any person violating this section of this act shall be deemed guilty of a misdemeanor, and, upon indictment and conviction therefor, shall be fined not less than twenty-five nor more than one hundred dollars, or imprisoned not less than ten nor more than thirty days, or both so fined and imprisoned, in the discretion of the jury or court trying the case.

§ 7. All expenses for preparing the rooms or inclosures herein provided for shall be allowed and paid out of the county levy as other claims against the county are allowed and paid. The entrance guard herein provided for shall be allowed one dollar for his day's services, to be allowed and paid as other county claims are allowed and paid.

§ 8. This act shall take effect from its passage.

The amendment offered by the committee as a substitute for said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be the duty of the several county judges of this Commonwealth, before each county, State and national election, to provide for, and secure in each voting precinct in their respective counties, a suitable room or other

inclosure in which to hold such election, the same to be so arranged that no one, except those hereinafter named, can come nearer than thirty feet of the poll-books; or if such room can not be secured at reasonable cost, or if, by the addition of railing or guarding, such room can not be secured at reasonable cost, then he shall cause to be erected such an inclosure of railing or guarding, with one entrance, at each voting place, as will leave a space of not less than thirty feet between the center or the place the poll-books are to be kept and such railing or guarding. But the cost of any such room or inclosure shall not exceed five dollars at any one voting place, unless the same or the material thereof can be used without further cost at future elections.

§ 2. No one shall be permitted to go inside of said inclosure from the time the polls are opened until they are closed, the vote counted and certified, except the officers of election, one entrance guard, appointed by them; an agent or representative of each candidate to be voted for at such election, and not more than three voters at any one time; and no voter shall remain on the inside of said inclosure longer than five minutes, unless a question arises as to his right to vote, in which case, if desired by the officers, he shall remain until such question is decided, and, if deemed necessary, the officers may call in witnesses, as now provided by law, and examine them upon the point in question; such witnesses shall retire from the inclosure immediately after their testimony is given.

§ 3. An agent or representative of each candidate to be voted for at such election shall be authorized to enter and remain within the inclosure: *Provided*, That the candidate or candidates to be voted for, or the county chairman of the political party to which such candidate or candidates belong, shall make a request therefor in writing to the election officers: *And, provided*, That the person so designated is a reputable citizen of good standing in the county.

§ 4. The officers of election shall give any desired information necessary to enable the elector to intelligently cast his vote or deposit his ballot, and any officer of the election, or agent of any candidate, shall have the right to challenge any person offering to vote; but it shall be unlawful for any officer, agent, or other person, while on the inside of the inclosure, to engage in electioneering, or to solicit the vote of any elector for or against any person, party, or measure, or to suggest that he vote for or against any person, party, or measure, or to make any demonstrations whatever for or against any person, party or measure, or to act partial towards or against any person, party, or measure, or to walk backwards and forwards between the polls and those wishing to vote; or for the election officers or other person to take from such inclosure the poll-books or ballot-box from the time the polls are opened until they are closed, the vote counted and certified; or for any officer or

agent to give any information to any one on the outside of the inclosure as to how any one cast his vote until the polls are closed and the vote certified; or for any person at any time, without permission of the county judge, to tear down or injure such inclosure, or to injure, deface or remove any material thereof. Any person violating any of the provisions of this section of this act shall be deemed guilty of a misdemeanor, and, upon indictment and conviction therefor, shall be fined not less than fifty nor more than two hundred dollars, or imprisoned not less than twenty-five nor more than one hundred days, or both so fined and imprisoned, in the discretion of the jury or court trying the case.

§ 5. It shall be unlawful for any person to have or drink any spirituous, vinous or malt liquors on the inside of said inclosure, or for any person not herein authorized, to enter, or to attempt by force to enter such inclosure, from the time the polls are opened until they are closed, the vote counted and certified. Any person so offending shall, upon conviction, be fined not less than ten nor more than twenty-five dollars.

§ 6. It shall be the duty of officers of elections and entrance guards herein provided for, to strictly observe and enforce those provisions of this act relating to the duties of persons on the inside of the inclosure, and to prevent persons not herein authorized from entering the inclosure. Any officer or entrance guard, who fails or refuses to observe and enforce the same, shall be subject to the same fines and penalties as prescribed in the fourth section of this act.

§ 7. The county judge of each county shall have at least three copies of this act posted, in printed form, within and around the inclosure herein provided for, at each voting place in their respective counties.

§ 8. All expenses for preparing the rooms or inclosures, or for printing and posting copies of this act, as herein provided, shall be allowed and paid by the county levy court, as other claims against the county are allowed and paid. The entrance guard, whose duty it shall be to guard the entrance to the inclosure, and aid the election officers to carry into effect the provisions of this act, shall be paid the same per diem as the sheriff is allowed, to be paid by the county levy court as other claims are allowed and paid.

§ 9. This act shall take effect from its passage.

Mr. Stewart moved that said substitute be printed, and, with the bill, recommitted to the Committee on Privileges and Elections.

Mr. Breckinridge moved that said bill and proposed amendment be indefinitely postponed.

The question was then taken on the adoption of the motion made by Mr. Stewart, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
R. G. Hays,	J. W. Martin,	A. H. Stewart—12.

Those who voted in the negative, were—

W. F. Berry,	William Goebel,	Chas. B. Poyntz,
R. J. Breckinridge,	John K. Hendrick,	B. F. Reynolds,
B. F. Cockrell,	John R. Kemp,	Phil Roberts,
Reuben Conner,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	D. L. May,	G. Terry,
Sam E. English,	James H. Mulligan,	J. S. Wortham,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—21.

The question was then taken on the adoption of the motion made by Mr. Breckinridge to indefinitely postpone said bill and proposed amendment, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	J. B. Hannah,	J. J. Paul,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	D. L. May,	G. Terry,
Sam E. English,	James H. Mulligan,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—25.
William Goebel,		

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
J. P. Huff,	A. L. Peterman,	A. H. Stewart—9.

So said bill was rejected.

Mr. Hendrick, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky,
Together with the pending amendments thereto,
Reported the same without amendment.

Mr. Dickerson proposed an amendment as a substitute for said bill.

Mr. Hendrick moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday next, March 4th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Dickerson moved that the further consideration of said bill be postponed, and that said substitute be printed, and that said bill be made the special order of the day for Tuesday next, March 4th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken on the motion made by Mr. Dickerson, it was decided in the affirmative.

The Speaker laid before the Senate the following communication from James K. Patterson, President of the A. and M. College, viz :

LEXINGTON, KY., February 22, 1890.

To the General Assembly of the Commonwealth of Kentucky :

GENTLEMEN—I have heard with surprise and regret that an opinion has been industriously disseminated among the members of your honorable body that the Agricultural and Mechanical College of Kentucky evades and avoids, and, through its friends in the General Assembly, seeks to evade and avoid any investigation of its management and any disclosure of its income and expenditures. It is alleged that its funds are wastefully and recklessly expended on farms and buildings, and that exceptional advantages, other than those incident to location, accrue to the city and county in which it is established. I beg to say that these allegations are all without foundation in fact; that they are calculated to deceive and mislead those who have no opportunity to test their truth; to disparage and discredit the college in the estimation of the general public, and to impair its usefulness to the people of this Commonwealth. I, therefore, respectfully request that this General Assembly take such steps as may be necessary to place before its members and

the public at large authentic and trustworthy information in regard to the organization and administration of the college, and the efficiency and integrity of its management. I beg, further, to assure the General Assembly that neither the trustees of the college who are responsible for its organization, nor the faculty to whom are committed the details of its management fear or evade investigation, let him gainsay who will.

I have the honor to be your obedient servant,

JAMES K. PATTERSON.

Ordered, That said communication be referred to the Committee on Agriculture and Manufactures.

The Speaker also laid before the Senate the following communication from James K. Patterson, President of the A. and M. College, viz :

LEXINGTON, KY., February 14, 1890.

To the General Assembly of the Commonwealth of Kentucky :

GENTLEMEN—I am authorized by the executive committee of the board of trustees of the Agricultural and Mechanical College of Kentucky to extend to your honorable body a cordial invitation to visit, at such time as may best suit your convenience, the college owned, controlled and maintained by the Commonwealth for the education of her children. The governing board believe this to be, in many respects, the most important interest under the control of the Legislature. They are, therefore, extremely desirous that the members of the General Assembly should become acquainted by personal observation with the work of the college. They desire you to know what it is and what it may become.

In extending this invitation, the authorities of the college beg to assure your honorable body that they have no ulterior purpose, local or municipal, to serve, nor can they offer any material inducement beyond a homely and substantial repast in the dining-hall of the college home when your work of inspection is ended, to which, I need scarcely add, all will be made heartily welcome. The executive committee hope that you will make it convenient to spend the greater part of one day, at least the entire part thereof, with us, in order to witness the

class-room and other exercises connected with the institution. It may be proper to add that the college exercises begin at 9 A. M. and end at 2 P. M.

I have the honor to be, with much respect,

Your obedient servant,

JAMES K. PATTERSON.

Mr. Glenn moved that the rules be suspended, and that said communication be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
W. F. Berry,	John K. Hendrick,	Charles Patteson,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	C. B. Poyntz,
B. F. Cockrell,	William Lindsay,	Phil Roberts,
F. W. Darby,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	James H. Mulligan,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—28.
William Goebel,		

Those who voted in the negative, were—

Reuben Conner,	J. H. Shearer,	D. H. Smith—4.
J. H. Lunsford,		

Mr. Glenn moved that the Senate accept said invitation, and fix Friday next, February 28th, as the day on which the Senate will visit said institution.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson.	William Goebel,	J. J. Paul,
B. F. Cockrell,	R. G. Hays,	A. L. Peterman,
F. W. Darby,	J. P. Huff,	C. B. Poyntz,
W. W. Dickerson,	William Lindsay,	B. F. Reynolds,
Sam E. English,	John P. Newman,	Phil Roberts,
T. L. Glenn,	Chas. Patteson,	G. Terry—18.

Those who voted in the negative, were—

R. J. Breckinridge,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	D. L. May,	D. H. Smith,
John K. Hendrick,	James H. Mulligan,	A. H. Stewart,
John R. Kemp,	J. W. McCain,	J. S. Wortham,
J. H. Lunsford,	John McCann,	D. W. Wright—15.

Mr. Dickerson moved to reconsider the vote by which the Senate adopted said motion accepting said invitation, and fixing Friday next as the day on which the Senate will visit said institution.

Which motion was simply entered.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Huff—

1. A bill to incorporate the Flemingsburg High School.

On motion of Mr. Newman—

2. A bill to amend the charter of the city of Newport, exempting certain personal property from city taxation.

On motion of same—

3. A bill to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issuance of bonds of the city.

On motion of Mr. Anderson—

4. A bill, entitled "An act to amend an act, entitled 'An act to authorize the county of Spencer to refund its bonded indebtedness.' "

On motion of Mr. Berry—

5. A bill to amend an act, approved April 30, 1888, entitled "An act relating to writs of forcible entry, forcible detainer, and forcible entry and detainer, and the trial thereof."

On motion of Mr. Huff—

6. A bill to amend an act, entitled "An act in relation to the posting of lands in this Commonwealth," approved March 13, 1878.

Ordered, That the Committee on Education prepare and bring in the 1st ; the Committee on Courts of Justice the 2d and 3d ; the Committee on General Statutes the 4th and 6th, and the Committee on Codes of Practice the 5th.

And then the Senate adjourned.

THURSDAY, FEBRUARY 27, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had adopted joint resolutions, of the following titles, viz :

Resolution providing for the erection of a monument over the grave of Luke P. Blackburn, late Governor of Kentucky.

Resolution for the benefit of John Thompson.

Which resolutions were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said resolutions being dispensed with.

They were referred to the Committee on Claims.

By unanimous consent, the rules were suspended, and the Senate took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, and the several amendments thereto.

Ordered, That said bill and the pending amendments thereto be referred to the Committee on Penitentiary and House of Reform.

Mr. Dickerson read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That a special joint committee, to be composed of eleven Senators, to be appointed by the Speaker of the Senate, one from each Congressional District, and twenty-two Representatives, to be appointed by the Speaker of the House of Representatives, two from each Congressional District, is hereby raised for the purpose of considering the propriety of re-districting the State and Congressional Districts, and they shall report by bill or otherwise, and shall have the right to report at any time.

2. This resolution shall take effect from its adoption.

Which, under the rules, lie one day on the table.

Mr. Dickerson moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

And the yeas and nays being required thereon by Messrs. Dickerson and McCain, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	Chas. Patteson,
W. F. Berry,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
B. F. Cockrell,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	G. Terry,
Sam E. English,	James H. Mulligan,	J. S. Wortham,
G. W. Gates,	J. W. McCain,	D. W. Wright—29.
T. L. Glenn,	John McCann,	

Those who voted in the negative, were—

R. J. Breckinridge,	J. W. Martin,	D. H. Smith,
J. P. Huff,	Phil Roberts,	A. H. Stewart—8.
J. H. Lunsford,	J. H. Shearer,	

The question was taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben. F. Bradley,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	John K. Hendrick,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
W. W. Dickerson,	J. H. Lunsford,	G. Terry,
Sam E. English,	D. L. May,	J. S. Wortham,
G. W. Gates,	James H. Mulligan,	D. W. Wright—29.
T. L. Glenn,	J. W. McCain,	

Those who voted in the negative, were—

R. J. Breckinridge,	Phil Roberts,	D. H. Smith,
J. P. Huff,	J. H. Shearer,	A. H. Stewart—7.
J. W. Martin,		

Mr. Bradley moved that the special orders of the day be postponed until a call of the committees was had.

And the question being taken thereon, it was decided in the negative.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of White District No. 73, Lawrence county ;

An act to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Williamsburg Banking Company ;

An act to incorporate the Climax Gas Company ;

An act to amend an act, entitled "An act to regulate municipal elections in the city of Louisville ;"

An act to amend an act, entitled "An act to establish and endow academies," approved December 28, 1798, and the various acts amendatory thereto ;

An act for the benefit of A. C. Holmes, of Fulton county ;

An act to incorporate the Clark County Agricultural Association ;

An act to incorporate the town of Corbin, in Whitley county ;

An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886 ;

An act to change the boundary line of Clay and Laurel counties ;

An act to amend an act, entitled "An act to amend the charter of the town of Wickliffe, in Ballard county," approved February 18, 1888 ;

An act to incorporate the Gardnersville Cemetery Company, in Pendleton county ;

An act providing for the extinguishment of the funded debt of the city of Louisville ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his

signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to create the office of stenographer of the Seventeenth Judicial District,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Huff—

1. A bill to amend the acts incorporating the city of Flemingsburg.

On motion of Mr. McCain—

2. A bill to amend the turnpike laws of Trimble county.

On motion of Mr. Lunsford—

3. A bill to amend, revise and reduce into one, the several acts concerning the town of Madisonville, and to incorporate the town.

On motion of same—

4. A bill to incorporate the Paragon Electric Company.

On motion of same—

5. A bill to incorporate the Hopkins County Bank.

On motion of Mr. Poyntz—

6. A bill to establish an additional voting precinct in Lewis county, and to alter, modify and decrease certain precincts in said county from which said additional precinct is established ; also to provide for the appointment of two justices and a constable for said precinct here established.

On motion of Mr. Bradley—

7. A bill creating a new charter for the town of Stamping Ground, Scott county.

On motion of Mr. Breckinridge—

8. A bill to amend an act, entitled “An act to incorporate the Danville Railroad Company,” approved April 14, 1888.

On motion of Mr. Dickerson—

9. A bill to amend section 16, article 4, of chapter 52, of the General Statutes, title “Husband and Wife.”

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st and 2d; the Committee on Propositions and Grievances, the 3d and 7th; the Committee on Banks and Insurance, the 4th and 5th; the Committee on Privileges and Elections, the 6th; the Committee on Railroads, the 8th; and the Committee on General Statutes, the 9th.

By unanimous consent, the rules were suspended, and the Senate took up for consideration the motion heretofore made by Mr. Dickerson, to reconsider the vote by which the Senate adopted the motion made on yesterday by Mr. Glenn, to accept the invitation of James K. Patterson, President A. and M. College, at Lexington, Kentucky, to the General Assembly to visit said institution, and fixing Friday next, the 28th prox., as the day for making said visit.

And the question being taken thereon, it was decided in the affirmative.

The question being on the adoption of the motion of Mr. Glenn to accept said invitation, and fixing Friday, the 28th prox., as the day for making said visit.

Mr. Dickerson moved to postpone the further consideration of said motion indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to regulate and define the property rights of husband and wife.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. Marriage shall give to the husband during the life of the wife no estate or interest in the wife's property, real or personal, owned at the time, or acquired after the marriage. During the existence of the marriage relation the wife

shall hold and own all her estate to her separate and exclusive use, free from the debts, liabilities and control of her husband ; and in the management thereof, if not prohibited by the deed or will, or other muniment under which she takes title, may contract and be contracted with, sell, convey and purchase as an unmarried woman : *Provided*, First, no part of her estate shall be subjected to the payment or satisfaction of any liability upon a contract, made after marriage, to answer for the debt, default or misdoing of another, including her husband, unless such estate shall have been set apart for that purpose by deed of mortgage or other like conveyance ; and, second, a conveyance of real estate by a married woman, to be effectual, must be executed in conformity with the provisions of existing laws.

§ 2. After the death of either the husband or wife, the survivor shall have an estate for his or her life, in one-half of all the real estate owned by the deceased, or held by any one to his or her use, and an absolute estate in one-half of all the surplus personality left by such decedent : *Provided*, Nothing herein shall prevent the surviving wife from asserting claim to dower or homestead under existing laws ; but if she shall assert such claim, then, so far as the real estate of the deceased husband is concerned, she shall take under existing laws, and not under the provisions of this act.

§ 3. A married woman, if she be of sound mind, and twenty-one years of age, and not unduly influenced thereto, may dispose of her estate by last will and testament.

§ 4. All acts and parts of acts in conflict with the provisions of this act are repealed.

The question being on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding.

Mr. Huff moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to a third reading, the opinion to the committee to the contrary notwithstanding, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. P. Huff,	J. J. Paul,
B. F. Cockrell,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	Phil Roberts,

G. W. Gates,	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	A. H. Stewart,
R. G. Hays,	John P. Newman,	D. W. Wright—29.
J. B. Hannah,	Chas. Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	F. W. Darby,	B. F. Reynolds,
W. F. Berry,	John K. Hendrick,	G. Terry,
Ben F. Bradley,	J. H. Lunsford,	J. S. Wortham—9.

Mr. Darby moved to amend said bill by striking out the first section thereof.

Mr. Wortham moved the following amendment as a substitute for said bill, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That marriage shall not give to the husband during the life of the wife any estate or interest in her real estate, including chattels, real, owned at the time of the marriage or acquired by her after marriage.

§ 2. That the husband, on the death of the wife, shall have one-half of the deceased wife's personal estate.

§ 3. That the wife, on the death of the husband, shall have one-half of the surplus of the deceased husband's personal estate.

§ 4. That a married woman, if she be of sound mind and twenty-one years of age, shall have the right to make a will, disposing of her estate.

§ 5. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 6. That this act shall take effect and be in force from and after its passage.

Mr. Goebel moved that the session of the Senate be extended until the bill under consideration was disposed of.

Mr. Wortham moved that the Senate do now adjourn.

Mr. Anderson moved that when the Senate adjourns, it be to meet on to-morrow, at 10:40 o'clock A. M.

And the question being taken on the motion made by Mr. Anderson, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
W. F. Berry,	R. G. Hays,	J. J. Paul,

Ben F. Bradley,	John K. Hendrick,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	G. Terry,
Reuben Conner,	James H. Mulligan,	J. S. Wortham—16.
F. W. Darby,		

Those who voted in the negative, were—

B. F. Cockrell,	D. L. May,	Chas. B. Poyntz,
J. B. Hannah,	J. W. McCain,	Phil Roberts,
J. P. Huff,	Chas. Patteson,	J. H. Shearer,
John R. Kemp,	A. L. Peterman,	D. H. Smith,
J. W. Martin,	J. M. Pieratt,	D. W. Wright—15.

The question was then taken on the motion made by Mr. Wortham that the Senate do now adjourn, and it was decided in the affirmative.

And then the Senate adjourned.

FRIDAY, FEBRUARY 28, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to prevent extortion and discrimination in the transportation of freight and passengers by railroad corporations, and, in aid of that purpose, to establish a Board of Railroad Commissioners, and define its powers and duties."

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Railroads.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act to incorporate the South Covington & Cincinnati Railway Company," approved January 25, 1876,

Reported the same, without amendment.

On motion of Mr. Bradley—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—
An act to incorporate the Bank of Louisa.

By same—

An act to amend the charter of the Westview Building Company, and to change its name.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act creating an additional voting and magisterial precinct in Lewis county.

By Mr. Bradley, from the Committee on Railroads—

An act authorizing the commissioners of Lawrence county to apply the county tax on Ohio & Big Sandy Railroad Company's road and property in payment of expenditures for right of way.

By same—

An act to amend an act, entitled "An act to incorporate the Paducah, Cairo & Southwestern Railroad Company," approved February 24, 1888.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills which originated in the House of Representatives, of

the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Middlesborough Belt Railroad Company.

By same—

An act to incorporate the Kinniconnick & Freestone Railroad Company.

By same—

An act to incorporate the Pinnacle Inclined Railway Company, of Middlesborough.

By same—

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine & Beattyville Railroad Company."

By same—

An act to amend an act, entitled "An act to provide a security for manufacturers and vendors of railroad equipment and rolling stock in making conditional sales thereof."

By Mr. Kemp, from the same committee—

An act to amend an act, entitled "An act to incorporate the Paducah, Hickman & Southern Railroad Company."

By Mr. Bradley, from the same committee—

An act to amend an act, entitled "An act to incorporate the Maysville Street Railroad and Transfer Company," approved January 21, 1868.

By same—

An act to incorporate the Beattyville Street Railway Company.

With amendments to the two last-named bills.

Which were adopted.

Ordered, That said bills, the two last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was

referred a resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of John Thompson,

Reported the same without amendment.

Said resolution reads as follows, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of John Thompson for one dollar and fifty cents per day for making fires and cleaning up Representative Chamber of Kentucky.

2. This resolution to take effect from its adoption.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, February 28, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Lyttle Buchanan, Jefferson county.

Wm. H. Courtney, Daviess county.

A. D. Collins, Fulton county.

Jno. B. Colvin, Pendleton county.

B. F. Day, Montgomery county.

W. F. Dean, Marion county.

A. A. Davis, Fulton county.

J. T. Ford, Floyd county.

M. F. Garred, Lawrence county.

Z. Gibbons, Fayette county.

F. J. Hummel, Jefferson county.

R. J. Jarboe, Warren county.

C. E. Jennings, McCracken county.

Broadus Lane, Floyd county.

F. Lefevre, Jefferson county.

John McFarling, Russell county.

M. McLoughlin, Jefferson county.

W. H. Moore, Daviess county.
W. C. Montgomery, Hardin county.
Mary D. Rees, Jefferson county.
Walker Richardson, Jefferson county.
J. W. Richardson, Pulaski county.
G. W. Smith, Jefferson county.
Jas. J. Sweeney, Daviess county.
Wm. T. Smith, Metcalfe county.
W. H. Smith, Jefferson county.
R. E. Turley, Madison county.
Etienne R. Vazeille, Kenton county.
Robt. D. Wilson, Lewis county.
H. H. Wulkop, Jefferson county.
N. W. Yerkes, Boyle county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Maytown, Morgan county.

An act to incorporate the Mt. Sterling Fair Association.

An act to incorporate the Somerset Water Company.

An act to incorporate the Middlesborough Water Company.

An act to amend an act, entitled "An act to incorporate the Princeton Collegiate Institute, in town of Princeton, Caldwell county, and other purposes," approved March 21, 1882.

An act to amend an act, entitled "An act to establish a system of public graded schools in the city of Somerset."

An act for the benefit of White District No. 73, Lawrence county.

An act to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

The Senate, according to order, took up for consideration the unfinished special order of yesterday, being a bill, entitled

An act to regulate and define the property rights of husband and wife.

(For bill, see Senate Journal of yesterday.)

The question being on the adoption of the amendment proposed by Mr. Darby to said bill, which is to strike out the first section thereof.

Mr. Breckinridge proposed to amend said bill as follows, viz :

Amend by inserting between the words "decedent" and "provided," in the fifth line of the second section :

"*Provided*, That after the death of either, the survivor may, at his or her election, exercised within one year after such death, demand and receive all estate, real and personal, which the decedent may have acquired from such survivor during the marriage by gift or in any other way than upon the payment therefor of a valuable consideration, and "

Mr. Breckinridge proposed the following amendment to said bill, viz :

Amend by inserting between the words "woman" and "provided," in the eleventh line of section 1, the words "except as hereinafter provided."

Mr. Breckinridge proposed to amend said bill as follows, viz :

Amend section 3, by adding thereto the following :

"*Provided*, That she shall not by will alienate or deprive her husband of such, or any interest or right in her estate as is hereinbefore secured to him. *Provided, however*, The husband may consent to such disposition or alienation."

Mr. Glenn moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. B. Hannah,	John McCann,
B. F. Cockrell,	John R. Kemp,	John P. Newman,
Reuben Conner,	William Lindsay,	Chas. Patteson,
Sam E. English,	D. L. May,	A. L. Peterman,
T. L. Glenn,	James H. Mulligan,	D. H. Smith,
R. G. Hays,	J. W. McCain,	A. H. Stewart—18.

Those who voted in the negative, were—

W. H. Anderson,	W. W. Dickerson,	Chas. B. Poyntz,
W. F. Berry,	William Goebel,	B. F. Reynolds,
Ben F. Bradley,	J. H. Lunsford,	G. Terry,
F. W. Darby,	J. J. Paul,	J. S. Wortham—12.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Darby to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hendrick and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	F W. Darby,	Ben F. Reynolds,
W. F. Berry,	John K. Hendrick,	A. H. Stewart,
Ben F. Bradley,	J. H. Lunsford,	G. Terry,
Reuben Conner,	J. W. Martin,	J. S. Wortham—12.

Those who voted in the negative, were—

R. J. Breckinridge,	R. G. Hays,	John McCann,
B. F. Cockrell,	J. B. Hannah,	John P. Newman,
W. W. Dickerson,	John R. Kemp,	Chas. Patteson,
Sam E. English,	William Lindsay,	J. J. Paul,
G. W. Gates,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	James H. Mulligan,	D. H. Smith,
William Goebel,	J. W. McCain,	D. W. Wright—21.

The question was then taken on the adoption of the first amendment proposed by Mr. Breckinridge to said bill, and it was decided in the negative.

The question was then taken on the adoption of the second amendment proposed by Mr. Breckinridge to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the third amendment proposed by Mr. Breckinridge to said bill, and it was decided in the negative.

Mr. Wortham had on yesterday proposed an amendment as a substitute for said bill.

(For substitute, see Senate Journal of yesterday.)

The question was then taken on the adoption of said amendment proposed by Mr. Wortham as a substitute for said bill, and it was decided in the negative.

And the yeas and nays being required thereon by Messrs. Hendrick and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. B. Hannah,	Chas. Patteson,
B. F. Cockrell,	John R. Kemp,	J. J. Paul,
W. W. Dickerson,	William Lindsay,	J. M. Pieratt,
Sam E. English,	D. L. May,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	D. W. Wright—23.
R. G. Hays,	John P. Newman,	

Those who voted in the negative, were—

W. H. Anderson,	F. W. Darby,	B. F. Reynolds,
W. F. Berry,	John K. Hendrick,	G. Terry,
Ben F. Bradley,	J. H. Lunsford,	J. S. Wortham—11.
Reuben Conner,	J. W. Martin,	

Mr. Lindsay moved to reconsider the vote by which the Senate had rejected the first amendment proposed by Mr. Breckinridge to said bill.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the first amendment proposed by Mr. Breckinridge to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson.	F. W. Darby,	A. H. Stewart,
W. F. Berry,	John K. Hendrick,	G. Terry,
Ben F. Bradley,	C. B. Poyntz,	J. S. Wortham—11.
Reuben Conner,	B. F. Reynolds,	

Those who voted in the negative, were—

R. J. Breckinridge,	R. G. Hays,	John McCann,
B. F. Cockrell,	J. B. Hannah,	John P. Newman,
W. W. Dickerson,	John R. Kemp,	Chas. Patteson,
Sam E. English,	William Lindsay,	J. J. Paul,
G. W. Gates,	D. L. May,	D. H. Smith,
T. L. Glenn,	James H. Mulligan,	D. W. Wright—20.
William Goebel,	J. W. McCain,	

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill to amend the charter of the Louisville Public Warehouse Company.

On motion of Mr. Cockrell—

2. A bill for the benefit of Lucy Curry.

On motion of Mr. Breckinridge—

3. A bill for the benefit of Commissioners and Receivers.

On motion of same—

4. A bill to incorporate the Lancaster, McKee & Middleborough Railroad Company.

On motion of Mr. Lunsford—

5. A bill supplementary to, and to amend an act, entitled "An act to incorporate the Hopkinsville & Cadiz Railroad Company," approved April 8, 1884.

On motion of Mr. Gates—

6. A bill to incorporate the Kentucky Fire Insurance Company, of Owensboro.

On motion of Mr. Paul—

7. A bill for the benefit of John Owens.

On motion of Mr. Poyntz—

8. A bill to incorporate the Kentucky & Southeastern Railway Company.

On motion of Mr. Dickerson—

9. A bill to amend the Civil Code of Practice.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st and 6th ; the Committee on Education the 2d ; the Committee on General Statutes the 3d and 7th ; the Committee on Railroads the 4th, 5th and 8th, and the Committee on Codes of Practice the 9th.

And then the Senate adjourned.

SATURDAY, MARCH 1, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act, entitled "An act to reduce into one all the acts in relation to the town of Stanford.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Lexington Hydraulic Manufacturing Company," approved February 27, 1882,

Reported the same without amendment.

On motion of Mr. Reynolds—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, February 26, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, originating in the Senate, entitled "An act to amend an act, entitled 'An act to incorporate the Louisville Railway Company,' " approved January 22, 1867.

By the original charter, the company was to have a corporate existence of thirty years. It was authorized to subscribe to the stock "of other city railroad companies," presumably in Louisville, but not restricted to that city in terms. It was also invested with the power "to acquire, by purchase or otherwise, the rights, privileges and franchises, of any or of all the corporations operating railways in the said city of Louisville, "with all their rights and immunities; and, with the consent of the General Council, to construct, maintain and operate street railroads * * * along and through any and all of the streets of Louisville, except such as are already occupied by other companies, or over, along and through which the right to construct railroads has already been granted." It was also authorized to "purchase and hold and sell and convey such real estate as may be deemed proper by the corporation, not exceeding in value \$200,000 at one time."

The third section of the proposed amendment repeals the restriction as to the amount of property which may be held by the corporation, the amount being limited only by its own estimate of what may be deemed proper and necessary, a construction which is sustained by the terms of the fifth section, which authorizes subscriptions, even to the capital stock, either in money or property.

As the kind of property the corporation may thus own is not restricted, it may become not only a large landed proprietor, but

may become the possessor and operator of any number of manufactories, and through them obtain the control of a large number of operatives.

The first section gives legislative sanction to an indefinite extension of the original charter, not only with the powers therein granted, and with the additional privileges stated above, but also with undefined powers which may be hereafter conceived in the mind of the General Council, and granted in perpetuity to the corporation, regardless of the rights and interests of the people of Louisville.

The hurtful effects of this section will be seen when the comparatively recent action of a former General Council is considered in connection with this corporation. The franchises enjoyed by this corporation are of great value.

If offered for sale they would doubtless bring a large revenue to the city. It was in the power of the General Council to restrict this company to the streets it already occupied. They still have that power. But about two years ago, without previous notice to the people, they closed all competition by granting to this corporation the use of every unoccupied street in the city.

The first clause of the first section of the amendment is designed to give legislative sanction to this action by perpetuating this resolution of the council, and thus to place it beyond the power of a future council to correct any former erroneous action in this regard.

The second clause of the section may be far-reaching in evil effects. It not only amounts to a virtual abdication by the General Assembly of its just control over the terms of a charter, but to a delegation of its own powers to a body whose past action has shown that it may act with inconsiderate haste.

It commits the legislative department, in advance, to the granting of unknown powers and privileges, in enacting that "the said corporation may, hereafter, build, maintain and operate such lines or routes of street railway, and with such motive power, and for such period, and on such terms and conditions, as may be agreed upon between said company and said city, or as may be provided by ordinance or resolution of the General Council."

If, as is generally believed, this railway corporation has already become an important factor in the choice of city officials, it may well conceive hopes that with the additional privileges conceded in the proposed amendments, its voice may be still more potential, and it may be safely concluded that the character of the additional powers and privileges which from time to time it might receive, would be limited only by the degree of influence it might exert over the General Council.

In the light of past history, it does not seem that the General Council of a city is a safe body to which to confide, without some supervising restraint, large legislative powers, which should be used for the protection of the people rather than for the aggrandizement of corporations. The curb of conservative legislation is necessary to restrain the aspirations of corporate power. The privileges of this corporation should be distinctly defined. The people, whose rights are affected, should not be left in uncertainty as to its powers. If powers are to be granted in perpetuity to this corporation, their extent should be known in advance. They should be fixed, and not mutable as the varying ideas of successive councils. If the undefined powers to be conferred are to be a blessing to the people, they ought to know the exact degree of benefit they are to derive. If they should result in oppression, they should know the extent of the wrong to be inflicted.

The proposed amendments to the charter place no other restriction upon the powers of the corporation than the will of the General Council, and concede in advance every privilege that they may choose to confer, however advantageous it may be to the corporation, and, however oppressive to the people.

I feel assured that the Senate will reconsider their action on this bill, and will decline to delegate such unrestricted and indefinite powers which can be properly and safely exercised only by the General Assembly.

Respectfully,

S. B. BUCKNER.

Said bill vetoed by the Governor reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to incorporate the Louisville Railway Company," approved January 21, 1867,

be, and it is hereby, amended as follows: The charter of the said railway Company is hereby extended, and its corporate franchises shall continue in force with authority in the said company to maintain and operate the lines of railway now operated by it under its charter, or under any ordinance, resolution or contract with the city of Louisville, or under any lease or contract with any other street railway company in said city: *Provided, however,* That the same shall be operated in the manner and with the motive-power, and for the period prescribed by acts of the General Assembly, or so far as are not so prescribed, then as prescribed by ordinance or contract between said city and the said company or lesser companies; and the said company may hereafter build, maintain and operate such lines or routes of street railway, and with such motive-power and for such period, and on such terms and conditions as may be agreed upon between said company and said city, or as may be provided by ordinance or resolution of the general council.

§ 2. Where any other authorized company or person shall desire to run cars over any portion of the tracks operated by the said Louisville Railway Company, and the parties can not agree upon the terms of such use, then the said persons or company so desiring to use said tracks may, before using the same, apply to a court of equity in said city to fix a compensation and damages for the use of said right of way and tracks, and the loss or injury to said Louisville Railway Company, and in such proceedings the court may fix the terms upon which said use may be had, and these terms may be changed from time to time by said court, upon the application of either party: *Provided, however,* the right to use for railway purposes more than 500 feet of the said company's tracks or any street occupied by the said company's tracks, shall not be acquired by any other company or person, without the consent of the said Louisville Railway Company.

§ 3. The said company may purchase, hold and sell and convey, such real and personal estate as may be deemed proper and necessary.

§ 4. The said company shall have the right to borrow money and issue bonds to such an amount as may be authorized by a note of the holders of a majority of its stock, bearing interest at a rate not exceeding six per centum per annum, and running for a period not exceeding forty years from the date thereof, and it may execute proper deeds of trust or mortgage upon such of its real and personal property and franchises as the said holders of a majority of its stock shall designate.

§ 5. The subscription to the capital stock authorized by section 9 of the said charter, may be paid by such companies in money or property.

§ 6. This act shall take effect from its passage.

On motion of Mr. McCann—

Ordered, That said bill and the accompanying veto message be referred to the Committee on the Judiciary.

Mr Bradley, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to prevent extortion and discrimination in the transportation of freight and passengers by railroad corporations, and, in aid of that purpose, to establish a Board of Railroad Commissioners, and define its powers and duties,"

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the above styled act be amended by striking out the word "willfully," in the first line of the first section thereof.

§ 2. That section two of said act be, and is hereby, repealed, and the following substituted therefor: That if any corporation engaged in operating a railroad in this State, shall, directly or indirectly, by any special rate, rebate, brawback or other device, charge, demand, collect or receive from any person or persons, a greater or less compensation for any service rendered or to be rendered in the transportation of passengers or property subject to the provisions of this act, than it charges, demands, collects or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic, under substantially similar circumstances and conditions, such corporations shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful

§ 3. That it shall be unlawful for any such corporation to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or any particular description of traffic in any respect whatsoever, in the transportation of a like kind of traffic, under substantially similar circumstances and conditions, or to subject any particular person, company, firm, corporation or locality, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage, when one or more car-loads of freight shall be transported at the same time for different persons, and for each shipment of a car-load or more, such shipment shall be considered and taken as the same quantity of freight within the meaning of this act, and when less than a car-load of freight, and over five thousand pounds are trans-

ported at the same time for different shippers, and for each shipper over five thousand pounds, such shipment shall be considered and taken as the same quantity of freight, and when over five hundred pounds and less than five thousand pounds are transported at the same time for different shippers, and for each shipper said quantity of freight, such shipments shall be considered and taken as the same quantity of freight.

§ 4. That all such corporations, subject to the provisions of this act, shall, according to their respective powers, afford all reasonable, proper and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and delivering of passengers and property to and from their several lines, and those connecting therewith, and shall not unjustly discriminate in their rates and charges between such connecting lines, but this shall not be construed as requiring any such corporation to give the use of its tracks or terminal facilities to another corporation in like business, nor as requiring any such corporation to form through routes or through rates with any other corporation.

§ 5. That section 4 be amended by striking therefrom the words "three times," and adding thereto the words: "All prosecutions and actions against railroad corporations under the provisions of this act, shall be commenced within one year after the offense shall have been committed, or the cause of action shall have accrued." And that said section 4 be further amended by adding next after the word "court," in last line thereof, the words: "*Provided*, That indictments under this section shall be made only upon recommendation or request filed by the Board of Railroad Commissioners in the court having jurisdiction of the offenses named herein."

§ 6. That section 8 of said act be amended by repealing all after the word "State," in the fourth line thereof, and substituting therefor the following: The commissioners are authorized to draw on the Auditor for a sum not exceeding two thousand dollars per annum out of any funds not otherwise appropriated, to be used by them in paying clerk hire and other actual contingent expenses of the commission. The office of said commissioner shall be kept in Frankfort, and constantly open during business hours. That the commissioners shall, in the vouchers by which the two thousand (\$2,000) appropriated in this bill, is expended, set forth the items of expense for which the voucher or vouchers are given.

§ 7. That said commissioners shall meet at their office on the first Monday in October in each year (two constituting a quorum) to discharge their duties as a "Board of Equalization," instead of meeting on the first of September, as now provided by law.

§ 8. That section 19 of said act be, and the same is hereby, repealed, and the following substituted therefor: Said commissioners shall hear and determine complaints under the second,

third and fourth sections of this act, under the first section of the act hereby amended, and the civil actions provided for in section 4 of the said act. Such complaints shall be made in writing, and they shall give the company complained of not less than ten days' notice of the time and place of hearing the same. They shall hear the evidence adduced by the parties, and render award as authorized by this act. If the award of the commissioners be not satisfied within ten days after the same is rendered, the chairman shall file a copy of said award in the office of the clerk of the circuit court of the county, which, under the Code of Practice, would have jurisdiction of said controversy, and the clerk of said court shall enter the same on the motion docket for trial, and summons shall be issued to the party against whom the award shall have been rendered, requiring said party to appear before the judge of said court within twenty days, and show cause why the said award shall not be satisfied. If the matter in controversy shall exceed twenty dollars, said judge or the court, if in regular term, on demand of either party, shall empanel a jury to try the same. If it does not exceed that sum, or a jury be not demanded, the court or judge shall hear and determine the same without the intervention of a jury. The court or judge may grant delay or continuance to either party, upon grounds which may seem just and reasonable. If the court or judge shall be of the opinion, or the jury shall find that the award of the said commissioners is just, judgment shall be so entered, and execution shall issue thereon as on other judgments; otherwise the party against whom the award shall have been rendered shall be dismissed, and the cost of said proceedings shall be taxed against the complainant in the action. The findings of fact by the commissioners shall accompany the award, and such findings and award shall thereafter, in all judicial proceedings, be *prima facie* evidences as to all matters included therein.

§ 9. All laws and parts of laws inconsistent with this act are hereby repealed.

§ 10. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
W. F. Berry,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Charles B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,

F. W. Darby,	J. W. Martin,	D. H. Smith,
Sam E. English,	D. L. May,	G. Terry,
T. L. Glenn,	J. W. McCain,	D. W. Wright—25.
R. G. Hays,		

In the negative—Phil Roberts—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Hendrick moved to reconsider the vote by which the Senate had passed said bill.

Mr. Hendrick moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Smith proposed the following joint resolution, viz :

WHEREAS, The very high waters now prevailing renders it absolutely necessary that a large number of the Senators and Representatives shall look after their affairs at home to prevent great sacrifice of their property ; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That when the General Assembly adjourns on Saturday, March 1st, it adjourn to meet again Monday, March 10, 1890.

2. This resolution shall take effect from its adoption.

Which, under the rules, lies one day on the table.

Mr. Smith moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

Mr. Smith moved the previous question.

And the question being taken, " Shall the main question be now put ? " it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lunsford and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	B. F. Reynolds,
Ben F. Bradley,	John K. Hendrick,	D. H. Smith,
R. J. Breckinridge,	John R. Kemp,	A. H. Stewart,
B. F. Cockrell,	John McCann,	J. S. Wortham,
Sam E. English,	Chas. B. Poyntz,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	Charles Patteson,
F. W. Darby,	J. W. Martin,	A. L. Peterman,
R. G. Hays,	D. L. May,	Phil Roberts,
William Lindsay,	J. W. McCain,	G. Terry—12.

Mr. Hendrick moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be had?" it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz :

W. H. Anderson,	John K. Hendrick,	J. M. Pieratt,
W. F. Berry,	John R. Kemp,	Chas. B. Poyntz,
Ben F. Bradley,	William Lindsay,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	Phil Roberts,
B. F. Cockrell,	J. W. Martin,	D. H. Smith,
F. W. Darby,	D. L. May,	A. H. Stewart,
Sam E. English,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	J. S. Wortham,
R. G. Hays,	Chas. Patteson,	D. W. Wright—29.
J. B. Hannah,	A. L. Peterman,	

Mr. Hendrick moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

The question was taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	John McCann,	D. H. Smith,
Sam E. English,	Chas. Patteson,	A. H. Stewart,
T. L. Glenn,	A. L. Peterman,	D. W. Wright—16.
R. G. Hays,		

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	J. M. Pieratt,
W. F. Berry,	J. W. Martin,	Phil Roberts,
Ben F. Bradley,	D. L. May,	G. Terry,
J. B. Hannah,	J. W. McCain,	J. S. Wortham—13.
John R. Kemp,		

Mr. Pieratt, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Middlesborough Belt Railroad Company;

An act to amend section 8, chapter 457, Acts of 1883 and 1884, incorporating the town of Olive Hill;

An act to amend chapter 1467, of the Acts of 1883-4, approved May 12, 1884, authorizing the county court at its county court of claims to levy an ad valorem tax and fix the county levy in Russell county;

An act for the benefit of the Mt. Sterling Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large on said turnpike road;

An act to amend the charter of the Big Stoner Turnpike Road Company;

An act to incorporate the town of Bandana, in Ballard county;

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same," approved May 18, 1886;

An act to amend an act, entitled "An act to incorporate the Valley Turnpike Road Company," approved February 20, 1884;

An act for the benefit of Johnnie Thomas, of Fleming county;

An act to change and make legal the spelling of the name Daviess, of Daviess county;

An act for the benefit of Common School District No. 15, Bracken county;

An act to incorporate the Fayette Land Company, of Fayette county, Kentucky;

An act to relieve D. L. Grace of the disabilities of infancy;

An act to incorporate the Frankfort Masonic Temple Company;

An act to prevent trespassing on lands in Jessamine county;

An act for the benefit of Jacob H. Simpson;

Resolution for the benefit of John Thompson;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Louisville Southeastern Railroad Company ;

An act to incorporate the State Executive Committee of the Young Men's Christian Association of the State of Kentucky ;

An act to incorporate the Louisville Dime Savings Bank ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Pieratt reported that the committee had performed that duty.

Mr. Glenn was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned from the hands of the Governor, of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company."

After a short time, Mr. Glenn, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage of said bill by the House of Representatives.

Which was granted, and the bill was delivered to the messenger.

On motion of Mr. Glenn—

Ordered, That the Clerk withdrawn from the House of Representatives the announcement of the passage of said bill by the Senate.

After a short time, the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Pieratt was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the Senate, entitled

An act to amend and reduce into one the acts incorporating the town of Paintsville.

After a short time, Mr. Pieratt, from said committee reported that the committee had performed that duty, and that said bill had been delivered into the possession of the House of Representatives.

Mr. Smith was appointed a committee to withdraw from the House of Representatives, the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Rock Gas Company."

After a short time, Mr. Smith, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Smith—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Wright moved that when the Senate adjourns, it adjourn to meet on Wednesday, March 5, 1890, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	Chas. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,

B. F. Cockrell,
F. W. Darby,
Sam E. English,
T. L. Glenn,

D. L. May,
J. W. McCain,
John McCann,
Chas. Patteson,

Phil Roberts,
D. H. Smith,
D. W. Wright—20.

Those who voted in the negative, were—

W. F. Berry,
J. B. Hannah,
John R. Kemp,

J. H. Lunsford,
J. W. Martin,

G. Terry,
J. S. Wortham—7.

Mr. Smith moved to reconsider the vote by which the Senate had adopted said motion.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, February 27, 1890. }

Gentlemen of the Senate and House of Representatives :

I have the honor to transmit herewith a copy of the bond of the Treasurer of the State, from which it will appear that the assessed valuation of the property of the bondsmen amounts to \$337,749, and the value of the bond as certified by the county judge of Graves county is seven hundred thousand dollars. From information received from other sources, I am satisfied that the latter estimate is not excessive.

Respectfully,

S. B. BUCKNER.

The accompanying document referred to in said message reads as follows, viz :

WHEREAS, H. S. Hale, of the county of Graves, has been appointed to the office of Treasurer of the Commonwealth of Kentucky for the unexpired term of S. G. Sharp, who has resigned said office. Now, we, H. S. Hale, as principal, and the other subscribers hereto as his sureties, hereby bind ourselves

jointly and severally to the Commonwealth of Kentucky, that the said H. S. Hale, as Treasurer as aforesaid, shall faithfully discharge the duties of said office.

In testimony whereof, the said H. S. Hale, as principal, and the subscribers as his sureties, have hereunto subscribed our respective names this 17th day of February, 1890.

Approved February 24, 1890.

S. B. BUCKNER.

H. S. Hale,	W. J. Slayden,
W. M. Wilson,	J. D. Simpson,
William Smith,	H. C. Allison,
C. Farthing,	J. T. Bolinger,
S. A. Norman,	J. M. Quinn,
D. P. Coutter,	D. B. Stanfield,
D. G. Park,	R. J. Howard,
S. P. Ridgway,	M. Wilson,
T. J. Elmore,	S. J. Mathews,
T. Ligon,	J. D. A. Hale,
J. T. Wilson,	W. S. Cook,
A. M. Jones,	R. E. Smith,
J. T. Emerson,	John W. Landrum,
J. J. Lankston,	J. O. Wilson,
W. W. Tice,	W. W. Robertson,
Louis Stanston,	R. E. Griffith,
J. H. Boswell,	R. H. Creason.

STATE OF KENTUCKY, }
COUNTY OF GRAVES. } *set. :*

I, J. E. Robbins, Judge of the Graves County Court, do certify that the within bond was signed by all of the within-named parties in my presence, and I certify that I am personally acquainted with all of said parties, and know that they are jointly worth not less than seven hundred thousand dollars.

Given under my hand this, the 17th day of February, 1890.

J. E. ROBBINS, *Judge, G. C. C.*

The following is a true statement taken from the Graves

county assessor's book for 1890, of the amount of taxable property charged against the various parties named herein.

R. H. Creason	\$ 7,750
H. S. Hale	20,450
W. J. Slayden	33,175
W. M. Wilson	2,050
J. D. Simpson	225
William Smith	1,475
H. C. Allison	25,450
C. Farthing	30,000
J. T. Bolinger	40,400
S. A. Norman	7,554
J. M. Quinn	3,711
D. P. Coutter	4,155
D. B. Stanfield	6,585
R. J. Howard (Pryorsburg)	11,220
S. P. Ridgway	12,445
M. Wilson	2,040
T. J. Elmore	5,245
T. Ligon	5,941
J. D. A. Hale	3,555
J. T. Wilson	5,165
W. S. Cook	4,415
A. M. Jones (Mayfield)	
R. E. Smith	10,955
J. T. Emerson (Louisville)	3,540
John W. Landrum	2,275
J. J. Lankston	7,510
J. O. Wilson	4,600
W. W. Tice	13,508
W. W. Robertson	12,020
Louis Stanston	38,285
R. E. Griffith	9,700
J. C. Boswell	2,350
Total	<u>\$337,749</u>

L. C. NORMAN, *Auditor.*

Ordered, That said message and the accompanying document be referred to the Committee on Executive Affairs.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Breckinridge, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Danville Railroad Company,” approved April 14, 1888.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Muhlenberg County Fair Company.

By same—

An act to charter the Little Jordan Turnpike Road Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act for the incorporation and regulation of life insurance companies,” approved March 12, 1870.

By same—

An act to amend an act, entitled “An act to incorporate the Louisville Public Warehouse Company.”

By same—

An act to amend the charter of the German Savings and Homestead Fund Company.

By same—

An act to incorporate the Bank of Ashland.

By Mr. Lunsford, from the same committee—

An act to incorporate the Hopkins County Bank.

By same—

An act to incorporate the Paragon Electric Company.

By same—

An act to incorporate the Owensboro & Madisonville Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the

following titles, were reported from the several committees to which they had been referred, viz:

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to re-incorporate and amend the laws of the town of Salyersville, Magoffin county.

By same—

An act to incorporate the Calloway County Agricultural Association.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester,” approved February 2, 1882.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act for the incorporation and regulation of life insurance companies,” approved March 12, 1870.

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to establish a system of common schools in the town of Corydon, Henderson county, changing the boundary thereof, and adding same to other districts.”

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Breckinridge—

1. A bill to incorporate the Danville, Lancaster & Pound Gap Railroad Company.

On motion of Mr. Lindsay—

2. A bill to amend an act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880.

On motion of Mr. Peterman—

3. A bill, entitled “An act to incorporate the Kentucky Detective and Information Agency.”

On motion of Mr. Poyntz—

4. A bill to protect game in Mason county, Kentucky.

On motion of Mr. Stewart—

5. A bill granting, regulating and classifying State certificates and county certificates of teachers of common schools in this Commonwealth.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on the Judiciary the 2d; the Committee on General Statutes the 3d; the Committee on Finance the 4th, and the Committee on Education the 5th.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend subsection 3, of section 51, of the Civil Code.

Mr. Lindsay proposed an amendment to said bill as a substitute therefor.

Mr. Darby proposed an amendment to said bill as a substitute therefor.

On motion of Mr. Smith—

Ordered, That said bill and the proposed substitutes therefor be printed, and recommitted to the Committee on Codes of Practice.

A message was received from the House of Representatives, asking the withdrawal from the Senate, of the announcement of their passage of a bill, which originated in the Senate, entitled

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county,

Which was granted, and said bill was delivered to the messenger.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Farmers' Bank of Leitchfield,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Pending the further consideration of said bill, the hour of 11

o'clock A. M. having arrived, further action thereon was cut off by the special order of the day.

Mr. Glenn moved that the consideration of bills, made special orders for this day, be postponed for the day.

And the question being taken thereon, it was decided in the negative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to create the Board of State House Commissioners, and to provide for the erection and completion of the capitol and other necessary public buildings at the seat of Government.

On motion of Mr. McCain—

Ordered, That said bill be recommitted to the Committee on Library, Public Buildings and Offices.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to call a Convention.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a convention, for the purpose of adopting, amending or changing the Constitution of the State be called, to be held, commencing on the first day of October, 1890, and to continue from day to day until the business thereof shall be completed, with power to adjourn and re-assemble at such times as it may deem proper, in the town of Frankfort, in the capitol of the State; and said convention shall consist of as many members as compose the House of Representatives, and no more; and they shall be apportioned among the several counties, in the same manner and proportion that Representatives are, by law, apportioned among the several counties.

§ 2. That it shall be the duty of the sheriffs and other returning officers, at the next general election to be held for county officers, to-wit: On the first Monday in August, 1890, to open a poll at their several places of voting for delegates to said convention, and all citizens entitled to vote for Representatives shall have the right to vote for delegates.

§ 3. That the sheriffs shall, within ten days after the election of delegates to said convention, severally deliver to each individual, who shall have been elected a delegate, a certificate of his election as a delegate; and shall, within twenty days after said election, transmit a copy thereof to the Secretary of the State for the time being, which certificate shall be in the form following, viz: "Be it known to all to whom these presents shall come, That I, ———, sheriff of the county of ———,

in my full county, by an election held on the — day of August, 1890, by the electors of my said county, qualified according to law, caused to be choose, — — —, for my said county, to represent said county in the convention to be held in the town of Frankfort, on the first day of October, 1890, for the purpose of re-adopting, altering or amending the Constitution of the State. Given under my hand, this — day of —, 1890 ;” *Provided*, That in case of the resignation or death of any member, who may be elected a delegate to said convention, that in such case the Governor shall, upon information, issue a writ to the sheriff of the county where such vacancy may occur, authorizing him to hold an election at the earliest time practicable, to elect delegates to fill any vacancy thus occurring.

§ 4. That the president, printer and other proper officers of said convention, and each delegate thereof, shall receive, as a compensation for their services, the same allowance and mileage, to be paid by the Treasurer, upon the warrant of the Auditor, as is now allowed by law to the speakers, officers, members and public printer of the Legislature of the State.

§ 5. That the sheriffs and other officers of the election shall be liable to all such fines and penalties, for failing to discharge the several duties imposed by this act, as are now imposed upon them, by law, for failure to perform their duty in conducting other general elections ; and all persons, who shall be found guilty of casting illegal votes for delegates, shall be liable to all the pains and penalties now imposed by law for illegal voting.

§ 6. That when two or more counties vote together, the sheriffs shall meet at the court-house of the county to compare the polls, at the same place and time when and where they meet to compare the polls for Representatives ; and the certificate to the delegate from such counties shall be given by the sheriffs of those counties.

§ 7. That the sheriffs of the several counties in this State shall be governed by the same laws now in force regulating the comparison of the polls for Representatives.

§ 8. That said convention, when so assembled, shall have authority to cause to be printed, at the cost of the State, all such of their proceedings, debates, etc., etc., as deemed proper.

§ 9. *Be it further enacted*, That in case of the failure, by death, sickness, or other cause, of the sheriff of any county to attend to compare the list of votes in his county, it shall be the duty of the county court clerk, or deputy of such clerk, to attend with the list of votes of said county, and make the comparison and in every respect perform the same duties which the sheriff would have to perform were he acting, and the clerk to receive the same compensation allowed the sheriffs for similar services, and shall be liable to the same penalties for a failure to discharge the duties hereby imposed.

§ 10. This act shall take effect from and after its passage.

The Committee on the Judiciary had heretofore reported an amendment to said bill, which reads as follows, viz :

Amend section 1, by adding these words, viz : "The convention shall be the judge of the qualifications, elections and returns of its members. Any person qualified under the present Constitution to vote for members of the House of Representatives of the General Assembly shall be eligible to the place of delegate to the convention, and no office, post or trust held under this Commonwealth shall be deemed or treated as incompatible therewith."

Mr. Lindsay and Mr. Smith, representing the minority of the Committee on the Judiciary, had heretofore proposed the following amendment to said bill, viz :

Amend section 4, by adding these words : "There is hereby appropriated out of any moneys in the Treasury, not otherwise appropriated, such sums as may be necessary to pay and defray the expenditures and allowances authorized, directed and provided for by this act: *Provided*, The total amount hereby appropriated is not to exceed (\$125,000) one hundred and twenty-five thousand dollars."

Mr. Lindsay and Mr. Smith, representing the minority of the Committee on the Judiciary, had also heretofore proposed the following amendment to said bill, viz :

Amend by striking out section 10, and inserting : "The Constitution agreed upon and adopted by the convention shall not become effectual as such or supercede the present Constitution, in whole or in part, unless and until submitted to the people, and ratified and approved by a majority of all the legal voters in the State, and, for the purpose of ascertaining whether such votes as may be cast in favor of its ratification and approval equal such majority, the enumeration of the qualified voters made under existing laws commencing September 15, 1890, shall be taken to show the whole number of legal voters within the State."

Mr. Smith proposed the following amendment as a substitute for said bill and proposed amendments :

"*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, § 1. That a convention be, and the same is hereby, called, for the purpose of re-adopting, amending or changing the Constitution of this State, to be held in the city of Frankfort, the capital of the State, commencing on the first Monday in September, 1890, and continuing from day to day till the business thereof be completed, with power to adjourn and re-assemble at such times as it may deem proper. Said convention

shall consist of as many members as there are of the House of Representatives and no more, who shall have the qualifications of an elector for Representative. Said members shall be apportioned among the several counties of the State, in the same manner and proportion that Representatives now are by the law as it now exists.

§ 2. That it shall be the duty of the sheriff and other returning officers, at the election to be held on the first Monday in August, 1890, to open a poll at their several places of voting for delegate to said convention, and all citizens entitled to vote for Representative shall have the right to vote for delegate.

§ 3. That the sheriffs, judges and clerks of the county courts of the several counties shall, upon comparison and count of the votes, within ten days after the election of delegates to said convention, deliver to each person, who shall have been elected a delegate, a certificate of his election as such, and they shall, within twenty days after said election, transmit a copy thereof to the Secretary of State, which certificate shall be in the following form, viz: "Be it known to all to whom these presents shall come, that we, _____, sheriff, and _____, judge of the county court of _____ county, by an election held on the first Monday in August, 1890, by the electors of said county, qualified according to law, caused to be chosen _____ for said county, to represent the same in the convention to be held in the city of Frankfort on the first Monday in October, 1890, for the purpose of re-adopting, amending or changing the Constitution of this State. Given under our hands, this, the _____ day of _____, 1890." *Provided*, That in case of the resignation, inability to serve, or death of any member who may be elected a delegate to said convention, the Governor shall, upon information, issue a writ of election to the sheriff of the county where said vacancy may occur, directing and authorizing him to hold an election in ten days after the receipt of said writ, to fill any vacancy so occurring.

§ 4. That the president of said convention shall receive, as compensation for his services, the same allowance *per diem* and mileage as is now allowed by law to the Speaker of the House of Representatives, and each delegate thereof shall receive the same allowance *per diem* and mileage now allowed by law to Representatives, and the other proper officers of said convention shall receive the same allowance as is now allowed by law to similar officers performing similar duties for the House of Representatives, and all of said compensation is hereby directed and authorized to be paid by the State Treasurer upon the warrants of the Auditor.

§ 5. That the sheriff and other officers of the election shall be liable to all such fines and penalties for failing to discharge the several duties imposed by this act as are now imposed upon them by law for a failure to perform their duty in conducting other general elections, and all persons who shall be found

guilty of casting illegal votes for delegates shall be liable, upon conviction, to all the fines and penalties now provided by law for illegal voting.

§ 6. That when two or more counties vote together in the election of a delegate, the sheriffs of said counties, after the votes of each county shall have been compared and counted in the manner, and by the officers hereinbefore provided for, shall meet at the court-house of the county polling the largest number of votes, within ten days after said comparison and counting in each county, and said sheriffs shall then compare the returns from said counties, and shall jointly give the certificate hereinbefore described to the delegate elected.

§ 7. The said sheriffs, county judges and county clerks shall be governed by the said laws now in force regarding the comparison of the polls for Representatives.

§ 8. The said convention, when assembled, shall have authority to cause to be printed, at the cost of the State, all such of its debates and proceedings as it may deem proper, and it shall be the duty of the State Librarian to furnish a hall for the meeting of said convention, and all such committee rooms as the business of the convention may require, and each member of said convention shall be allowed the sum of twenty-five dollars for stationery, to be paid as herein provided for as to other allowances for them.

§ 9. In case the right to a seat in said convention by any delegate who holds a certificate of election is contested, said convention shall decide such contest, and testimony shall be taken in the same manner, and the same proceedings had, as in case of a contest as to the seat of a Representative; and, in case of a tie, the Governor shall issue a writ of election as provided for herein in case of a vacancy.

§ 10. That before any constitution agreed upon by said convention shall take effect or become operative, the same shall be submitted to the qualified voters of this Commonwealth, after at least twenty days' notice, and ratified by a majority of those voting.

§ 11. This act shall take effect from and after its passage.

And the question being taken on the adoption of said amendment proposed by Mr. Smith as a substitute for said bill and pending amendments, it was decided in the affirmative.

Mr. Berry proposed to amend the substitute offered by Mr. Smith as follows, viz :

Amend first section by striking out "first of September," where it appears in said section, and insert in lieu thereof the "first of October."

Mr. Breckinridge moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and English, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	J. W. Martin,	D. H. Smith,
R. J. Breckinridge,	J. W. McCain,	G. Terry,
B. F. Cockrell,	Chas. Patteson,	J. S. Wortham—13.
T. L. Glenn,		

Those who voted in the negative, were—

Ben F. Bradley,	William Lindsay,	A. L. Peterman,
F. W. Darby,	D. L. May,	Phil Roberts—7.
J. B. Hannah,		

Mr. Lindsay proposed the following amendment to Mr. Smith's substitute for the bill, viz :

Amend section 1, by striking out "first Monday," and insert "second Monday."

Mr. Lindsay also proposed the following amendment to the substitute offered by Mr. Smith to said bill, viz :

Amend by striking out section 10, and inserting : "The Constitution agreed upon and adopted by the convention shall not become effectual as such or supercede the present Constitution, in whole or in part, unless, and until submitted to the people and ratified and approved by a majority of all the legal voters in the State, and for the purpose of ascertaining whether such votes as may be cast in favor of its ratification and approval equal such majority, the enumeration of the qualified voters made under existing laws commencing September 15, 1890, shall be taken to show the whole number of legal voters within the State."

Mr. English moved that the further consideration of said bill and the proposed amendments be postponed, and that said bill be made the special order of the day for Tuesday, March 11th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	Phil Roberts,
Sam E. English,	D. L. May,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham,
R. G. Hays,	Chas. Patteson,	D. W. Wright—24.

Those who voted in the negative, were—

W. F. Berry,	D. H. Smith,	G. Terry—3.
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On motion of Mr. Smith, the Senate then adjourned.

WEDNESDAY, MARCH 5, 1890.

The Speaker of the Senate being absent, Mr. Smith, at his request, took the Chair and presided.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

An act creating the office of Inspector of Buildings for the city of Louisville.

An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886.

An act to amend an act, entitled "An act to amend the charter of the town of Wickliffe, in Ballard county," approved February 18, 1888.

An act to change the boundary line of Clay and Laurel counties.

An act to amend an act, entitled "An act to establish and enlow academies," approved December 22, 1798, and the various acts amendatory thereto.

An act to incorporate the Clark County Agricultural Association.

An act providing for the extinguishment of the funded debt of the city of Louisville.

An act to incorporate the Gardnersville Cemetery Company, in Pendleton county.

An act to incorporate the Climax Gas Company.

An act to incorporate Union Encampment No. 70, Independent Order of Odd Fellows, of Paducah.

An act to amend an act, entitled "An act to incorporate the town of Pleasant Home, in Owen county," approved March 26, 1888.

An act to amend an act, entitled "An act to incorporate the Greenwood and Massey's Mill Turnpike Company."

An act to incorporate the Keystone Natural Gas Company.

An act for the benefit of Miss Ida Allen, of Daviess county.

An act to amend an act, entitled "An act incorporating the United States Mail Line Company," approved February 27, 1865.

An act to amend the charter of the Henderson State Line Railroad Company, approved April 12, 1888.

An act to incorporate the Bank of Cumberland.

An act to amend an act, entitled "An act to incorporate the trustees of the First Presbyterian Church of Louisville," approved February 21, 1880.

An act to incorporate the Deposit Bank, of Beaver Dam, Kentucky.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the town of New Columbus, in Owen county,'" approved February 23, 1874, and all subsequent amendments thereto.

An act to empower and authorize the city of Bowling Green to issue \$20,000 of public improvement bonds.

An act to amend an act, entitled "An act to incorporate the town of South Louisville," approved May 17, 1886.

An act authorizing the trustees of the town of South Louisville to issue \$50,000 of bonds of said town for municipal purposes.

An act for the benefit of John W. Ridgeway, of Henry county, and allowing him certain credit by the Auditor in his next settlement as sheriff of Henry county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the charter of the town of Owingsville, Bath county, Kentucky."

An act to incorporate the board of trustees of the Kentucky Universalist Convention.

An act to amend the charter of the town of Catlettsburg, Boyd county.

An act to amend section 5, of an act to prescribe the mode of condemning land for the use of railroad and turnpike companies, approved April 11, 1882.

An act to authorize the Pendleton County Court to borrow money in aid of building turnpike roads, and provide a sinking fund therefor.

An act to amend the charter of the city of Owensboro, to empower the common council of said city to levy a tax each year for the purpose of defraying expenses of said city.

An act for the benefit of the Park's Ferry and Bethel Turnpike Road Company, in Nicholas and Bath counties.

An act to amend the charter of the Taree Forks Deposit Bank, of Beattyville, Kentucky.

An act to incorporate the Royal Gas Company.

An act for the benefit of Jefferson county.

An act to amend an act, entitled "An act to regulate municipal elections in the city of Louisville."

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Caldwell county, and providing for a vote on same," approved May 18, 1886.

An act to incorporate the Middlesborough Belt Railroad Company.

An act to amend the charter of the Big Stoner Turnpike Road Company.

An act to prevent trespassing on lands in Jessamine county.

An act to incorporate the Fayette Land Company, of Fayette county, Kentucky.

An act for the benefit of Common School District No. 15, Bracken county.

An act to change and make legal the spelling of the name Daviess, of Daviess county.

An act to amend chapter 1467, of the Acts of 1883 and 1884, approved May 12, 1884, authorizing the county court at its county court of claims to levy an ad valorem tax and fix the county levy in Russell county.

An act to incorporate the town of Bandana, in Ballard county.

An act to amend section 8, of chapter 457, of the Acts of 1883 and 1884, incorporating the town of Olive Hill.

An act to incorporate the Frankfort Masonic Temple Company.

A resolution for the benefit of John Thompson.

That they had disagreed to a joint resolution, which originated in the Senate, entitled

Resolution providing for an adjournment of the General Assembly until March 10, 1890.

That they had concurred in the adoption of a joint resolution, which originated in the Senate, entitled

A resolution raising a special joint committee to consider the propriety of re-districting the State into Congressional Districts.

That they had passed a bill, which originated in the Senate, entitled

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, Pike county.

With an amendment thereto.

Which was taken up and concurred in.

That they had passed bills of the following titles, viz :

An act to incorporate the city of Paris.

An act to establish a city government for the town of North Middletown.

An act for the benefit of W. J. Hook, sheriff of Bracken county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to incorporate the Farmers' Bank of Leitchfield.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867,

Together with the message of the Governor vetoing the same,

Reported the same, with the expression of opinion that said bill ought not to pass.

(For bill and veto, see Senate Journal, March 1, 1890.)

And the question being taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	B. F. Reynolds,
W. F. Berry,	J. H. Lunsford,	Phil Roberts,
R. J. Breckinridge,	D. L. May,	D. H. Smith,

Reuben Conner,	John McCann,	A. H. Stewart,
W. W. Dickerson,	J. J. Paul,	G. Terry,
J. B. Hannah,	A. L. Peterman,	J. S. Wortham—20.
John R. Kemp,	J. M. Pieratt,	

So the Governor was sustained in his veto.

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Glenn, to reconsider the vote by which the Senate had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company."

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

Mr. Glenn proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. McCann reported a bill, entitled

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Paducah, Hickman & Southern Railroad Company ;"

An act to create the office of stenographer of the Seventeenth Judicial District ;

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870 ;

An act for the benefit of the married women in this Commonwealth ;

An act to authorize the town of Beattyville, in Lee county, to issue bonds to pay off its present floating indebtedness, to improve its streets, alleys and sidewalks, and to build bridges ;

An act to legalize an order of the Larue County Court of Claims ;

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine & Beattyville Railroad Company ;"

An act to incorporate the Pinnacle Inclined Railway Company, of Middlesborough ;

An act to amend an act, entitled "An act to reduce into one all the acts in relation to the town of Stanford ;"

An act for the benefit of W. J. Hook, sheriff of Bracken county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate and amend the laws for the town of Sharpsburg, Bath county,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Glenn withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act to authorize the board of trustees of the town of Eddyville, Lyon county, to sell or lease certain streets of said town.

Mr. Poyntz moved that the special orders of the day be postponed for the day.

And the question being taken thereon, it was decided in the affirmative.

Mr. Peterman, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of School District No. 33, in the county of Campbell,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Wortham, from the Committee on General Statutes, to whom was recommitted a bill, entitled

An act to amend article 8, of chapter 92, of the General Statutes, entitled "Revenue and Taxation,"

Reported the same, with an amendment as a substitute therefor.

On motion of Mr. Wortham—

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for Wednesday, March 12, 1890, at 12 o'clock M., and from day to day until disposed of.

Mr. Poyntz moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Peterman, from the Committee on Education, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution raising a joint committee to examine the books, affairs, etc., of the A. and M. College,

Reported the same, without amendment.

Said resolution reads as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That a committee, consisting of five members from the House, and three from the Senate, to be appointed by the respective Speakers thereof, be, and are hereby, appointed and instructed as a joint committee, to make a full and complete investigation of all matters connected with the Agricultural and Mechanical College of Kentucky, viz: They are directed and instructed to inquire into and report to this General Assembly the various sources of revenue attached to this institution, and the amount realized therefrom. They will also report what amount of property, real and personal, is held by said institution, and how said property was derived. They are also further instructed to investigate and report what expenditures have been made by said college since 1883, and the consecutive years thereafter until now, and whether these expenditures are represented by proper vouchers. They will report the number of students matriculated in this institution in the year 1883-4, and annually thereafter, and including the present collegiate year. They will also report the manner in which said institution is conducted, the number of professors, their salaries and the branches taught by them, their general fitness for their duties, and the progress made by the students under their instruction. They will also report upon the number of buildings, their cost, capacity and condition, and the purposes for which they are used ; upon the material, appliances, machinery, laboratories and museums ; upon the botanical, geological, zoological and mineralogical equipments and collections, and generally upon the plant of the institution available for making the instruction of the class-rooms effective. They will also report, so far as ascertainable, the comparative resources and income of this and other institutions in neighboring States founded under the act of Congress of 1862, upon the comparative endowments realized from the sale of their lands ; upon the appropriations made by the States supplementary thereto, annual and special ; upon their buildings, farms, grounds, laboratories and museums, and upon the comparative results

therefrom. They will also report upon what necessities there exist, if any, for additional appropriations, to render the Agricultural and Mechanical College of Kentucky more effective in its operations. They are authorized to summon witnesses and coerce their attendance and testimony, to require the production of books and papers, and to employ a stenographer. The Auditor shall draw his warrant for all expenses incurred.

2. This resolution to take effect from its adoption.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Common School District No. 21, Lincoln county.

By same—

An act to charter an institution of learning by the name and style of the Edmonton High School, at Edmonton, Metcalfe county, Kentucky.

By same—

An act for the benefit of Common School Districts Nos. 49 and 60, Lincoln county.

By same—

An act to incorporate the North Kentucky Summer Institute, at Cynthiana.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Mrs. Lucy Curry, of Common School District No. 26, white, Montgomery county.

By Mr. Poyntz, from the Committee on Finance—

An act to protect game in Mason county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Lunsford—

1. A bill to incorporate the town of Ilsley, in Hopkins county.

On motion of Mr. Pieratt—

2. A bill to incorporate the Campton and Hazel Green Turnpike Company.

On motion of same—

3. A bill to appropriate money to improve the North Fork of Red river.

On motion of same—

4. A bill to incorporate the Union Bank of Maysville.

On motion of same—

5. A bill for the benefit of Elizabeth H Reed.

On motion of same—

6. A bill for the benefit of George T. Simonds, of Maysville.

On motion of same—

7. A bill for the benefit of Mrs. Patrick Craven, of Maysville.

On motion of Mr. Smith—

8. A bill to amend and continue in force an act, entitled "An act to incorporate the Buffalo & Hodgenville Railroad Company," approved April 12, 1888.

On motion of Mr. Kemp—

9. A bill to establish a voting precinct at Cypress, Hickman county.

On motion of Mr. Poyntz—

10. A bill authorizing Mason county to levy a tax in aid of common schools in said county.

On motion of Mr. May—

11. A bill for the benefit of W. Carpenter, of Bullitt county, Kentucky.

On motion of same—

12. A bill to incorporate the Kenyon Bank, Trust and Guarantee Company.

On motion of Mr. Anderson—

13. A bill to incorporate the town of Croppers, in Shelby county.

On motion of same—

14. A bill to amend an act, entitled “An act to incorporate the Bloomfield & Harrodsburg Railroad Company,” approved May 1, 1880.

On motion of Mr. Huff—

15. A bill to incorporate the Hillsboro Cemetery Company, of Fleming county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 9th, 13th and 15th; the Committee on Internal Improvements the 2d; the Committee on Public Expenditures the 3d; the Committee on Banks and Insurance the 4th, 11th and 12th; the Committee on Courts of Justice the 5th; the Committee on Claims the 6th and 7th; the Committee on Railroads the 8th and 14th; and the Committee on Education the 10th.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the State Executive Committee of the Young Men's Christian Association of the State of Kentucky.

An act to incorporate the Louisville Southeastern Railroad Company.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 5, 1890. }

Gentlemen of the Senate:

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for

the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

W. G. Abbett, Scott county.
M. O. Allen, Jr., Cumberland county.
S. B. Bishop, Muhlenberg county.
Wm. D. Boyd, Johnson county.
O. D. Coldeway, Jefferson county.
Robert K. Dedman, Jefferson county.
D. G. Falconer, Fayette county.
S. S. Harvey, Metcalfe county.
W. P. Lincoln, Jefferson county.
I. H. Moore, Mercer county.
Geo. S. Shanklin, Fayette county.
L. B. Walker, Sr., Webster county.
William R. Fisher, Carroll county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, March 6, 1890. }

Gentlemen of the Senate and House of Representatives :

I have the honor to transmit herewith a communication from the Mayor of Cincinnati, extending to the General Assembly an invitation to be present on the occasion of the obsequies of the late George H. Pendleton, at the Music Hall, in that city, on the 8th inst.

Respectfully,

S. B. BUCKNER.

CINCINNATI, March 3, 1890.

To His Excellency, GEN. S. B. BUCKNER, Governor of Kentucky, etc. :

DEAR SIR : The remains of the late George H. Pendleton, ex-United States Minister to Germany, will reach this city, his life-long home, at 9 o'clock next Saturday morning, March 8th,

and owing to the deceased's unsullied private character, and long prominence in the counsels of the State and nation, it has been deemed eminently proper to hold imposing ceremonies at Music Hall, on the morning named. Yourself, members of your staff, other State officials, as well as the officers and members of the two branches of your General Assembly, are most earnestly invited to be present, thereby adding to the impressive character of the ceremonies. In consequence of the shortness of the time allowed for perfecting the arrangements, I take the privilege of asking you to transmit to all the others of your officials named the invitation thus extended.

To enable you to accept the invitation, through the kindness of the officers of the Kentucky Central Railroad, a special train will be placed at your disposal for the occasion, enabling you to return to your posts of duty the same day.

Please notify me of your action at your earliest convenience.

I am, with the highest consideration,

Very truly yours,

JNO. B. MOSBY,

Mayor and Chairman Committee of Arrangements.

Mr. Poyntz moved that the Senate accept said invitation, and that when it adjourns on Friday, it be to meet again on Monday, March 10, 1890.

Mr. Berry moved to postpone the further consideration of said subject until to-morrow.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the motion made by Mr. Poyntz, that the Senate accept said invitation, and that when it adjourns on Friday, it be to meet on Monday, March 10th, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,
B. F. Cockrell,
Reuben Conner,

J. P. Huff,
John R. Kemp,
William Lindsay,

J. J. Paul,
A. L. Peterman,
J. M. Pieratt,

W. W. Dickerson,	J. H. Lunsford,	Chas. B. Poyntz,
T. L. Glenn,	D. L. May,	B. F. Reynolds,
J. B. Hannah,	John McCann,	Phil Roberts— 20.
John K. Hendrick,	Charles Patteson,	

Those who voted in the negative, were—

W. H. Anderson, A. H. Stewart, J. S. Wortham—3.

Mr. May moved to reconsider the vote by which the Senate adopted the motion made by Mr. Poyntz.

Mr. May moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution to provide a committee to re-district the State into Congressional Districts.

The question being, "Shall the Senate recede from its amendment adopted to said resolution?"

Mr. Dickerson moved that the further consideration of said resolution and pending amendment be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said resolution was disagreed to.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth."

(For bill, see Senate Journal, January 31st, page 312.)

The question being on the motion heretofore entered by Mr. Breckinridge, to reconsider the vote by which the Senate had disagreed to said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	Phil Roberts,
W. F. Berry,	John R. Kemp,	D. H. Smith,
Reuben Conner,	D. L. May,	G. Terry,
W. W. Dickerson,	Chas. Patteson,	J. S. Wortham—14.
John K. Hendrick,	B. F. Reynolds,	

Those who voted in the negative, were—

Ben F. Bradley,	William Lindsay,	A. L. Peterman,
T. L. Glenn,	J. H. Lunsford,	J. M. Pieratt,
J. B. Hannah,	J. J. Paul,	A. H. Stewart—9.

Mr. Dickerson moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Kemp and Berry, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
W. W. Dickerson,	Chas. Patteson,	J. M. Pieratt—7.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	B. F. Reynolds,
W. F. Berry,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	William Lindsay,	D. H. Smith,
Reuben Conner,	D. L. May,	G. Terry,
John K. Hendrick,	J. J. Paul,	J. S. Wortham—15.

Mr. Bradley moved that said bill be recommitted to the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

Mr. Glenn moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday next, March 13th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. May moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. J. Paul,	J. M. Pieratt—4.
Chas. Patteson,		

Those who voted in the negative, were—

B. F. Cockrell,	John R. Kemp,	John McCann,
Reuben Conner,	William Lindsay,	Phil Roberts,
W. W. Dickerson,	J. H. Lunsford,	G. Terry,
T. L. Glenn,	D. L. May,	J. S. Wortham—13.
J. B. Hannah,		

Mr. Lindsay moved the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	Phil. Roberts,
W. F. Berry,	William Lindsay,	D. H. Smith,
B. F. Cockrell,	John McCann,	G. Terry,
Reuben Conner,	Chas. Patteson,	J. S. Wortham—14.
W. W. Dickerson,	B. F. Reynolds,	

Those who voted in the negative, were—

Ben F. Bradley,	D. L. May,	Chas. B. Poyntz,
J. B. Hannah,	J. M. Pieratt,	A. H. Stewart—6.

Mr. Lindsay moved that said bill be recommitted to the Committee on Propositions and Grievances.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Reynolds and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Lindsay,	J. J. Paul,
W. W. Dickerson,	J. H. Lunsford,	A. L. Peterman,
J. B. Hannah,	D. L. May,	J. M. Pieratt—11.
J. P. Huff,	Chas. Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	John McCann,	D. H. Smith,
W. F. Berry,	Chas. B. Poyntz,	A. H. Stewart,
B. F. Cockrell,	B. F. Reynolds,	G. Terry,
Reuben Conner,	Phil Roberts,	J. S. Wortham—13.
John R. Kemp,		

Mr. Dickerson moved to reconsider the vote by which the Senate adopted the motion made by Mr. Lindsay, to extend the session until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
W. W. Dickerson,	Chas. Patteson,	A. H. Stewart—7.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	William Lindsay,	Phil. Roberts,
B. F. Cockrell,	John McCann,	D. H. Smith,
Reuben Conner,	J. J. Paul,	G. Terry,
J. P. Huff,	Charles B. Poyntz,	J. S. Wortham—15.

Mr. Dickerson moved to recommit said bill to the Committee on General Statutes, with leave to report at any time.

And the question being taken thereon, it was decided in the negative.

Mr. Lindsay moved to recommit said bill to the Committee on Railroads.

Mr. Reynolds moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Lindsay, to recommit said bill to the Committee on Railroads, and it was decided in the negative.

Mr. Dickerson moved to reconsider the vote by which the Senate had refused to adopt the motion made by Mr. Lindsay, to recommit the bill to the Committee on Railroads.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	D. L. May,
W. W. Dickerson,	William Lindsay,	A. L. Peterman,
T. L. Glenn,	J. H. Lunsford,	J. M. Pieratt—9.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	D. H. Smith,
W. F. Berry,	Chas. Patteson,	A. H. Stewart,
B. F. Cockrell,	Chas. B. Poyntz,	G. Terry,
Reuben Conner,	B. F. Reynolds,	J. S. Wortham—14.
J. P. Huff,	Phil Roberts,	

Mr. Poyntz moved to recommit said bill to the Committee on Codes of Practice.

And the question being taken thereon, it was decided in the negative.

Mr. Reynolds moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	B. F. Reynolds,
W. F. Berry,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	Chas. Patteson,	D. H. Smith.
Reuben Conner,	J. J. Paul,	G. Terry,
W. W. Dickerson,	Chas. B. Poyntz,	J. S. Wortham—16.
T. L. Glenn,		

Those who voted in the negative, were—

Ben F. Bradley,	J. H. Lunsford,	A. L. Peterman,
J. B. Hannah,	D. L. May,	J. M. Pieratt—7.
William Lindsay,		

Mr. Glenn moved to reconsider the vote by which the Senate ordered the previous question.

Mr. Huff moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	B. F. Reynolds,
W. F. Berry,	John McCann,	D. H. Smith,
B. F. Cockrell,	Chas. Patteson,	G. Terry,
Reuben Conner,	Chas. B. Poyntz,	J. S. Wortham—13
J. P. Huff,		

Those who voted in the negative, were—

Ben F. Bradley,	J. B. Hannah,	D. L. May,
W. W. Dickerson,	William Lindsay,	J. M. Pieratt,
T. L. Glenn,	J. H. Lunsford,	Phil Roberts—9.

Mr. Reynolds moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be had?" it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz :

W. H. Anderson,	John R. Kemp,	Chas. B. Poyntz,
W. F. Berry,	William Lindsay,	B. F. Reynolds,
Ben F. Bradley,	J. H. Lunsford,	Phil Roberts,
B. F. Cockrell,	D. L. May,	D. H. Smith,
Reuben Conner,	Chas. Patteson,	A. H. Stewart,
T. L. Glenn,	J. J. Paul,	G. Terry,
J. B. Hannah,	A. L. Peterman,	J. S. Wortham—22.
J. P. Huff,		

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absentees.

Mr. Glenn moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	A. L. Peterman
T. L. Glenn,	D. L. May,	Phil Roberts—6.

Those who voted in the negative, were—

W. H. Anderson,	John McCann,	B. F. Reynolds,
B. F. Cockrell,	Chas. Patteson,	J. S. Wortham—7.
J. P. Huff,		

Mr. Patteson moved that the absent Senators be excused, and that they be noted on the record as absent on indefinite leave.

Mr. Wortham moved to amend said motion by excusing all the absent Senators, and noting them on the record as absent on indefinite leave, except Mr. Dickerson.

And the question being taken thereon, it was decided in the affirmative.

Mr. Berry moved to dispense with further proceedings under the call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	Phil Roberts,
W. F. Berry,	John McCann,	D. H. Smith,
B. F. Cockrell,	Chas. Patteson,	G. Terry,
J. P. Huff,	B. F. Reynolds,	J. S. Wortham—12.

In the negative—none.

On motion of Mr. May, the Senate then adjourned.

THURSDAY, MARCH 6, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing¹ that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Maysville Street Railroad and Transfer Company," approved January 22, 1868.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Middlesborough Street Railway Company.

An act to amend and continue in force an act, entitled "An act to incorporate the Deposit Bank of Elizabethtown," approved March 12, 1870,

With amendments thereto.

By unanimous consent, the rules were suspended, and said amendments were taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act requiring corporations, companies, associations, firms, and persons engaged in mining or manufacturing in this State, to pay their employes, semi-monthly, in lawful money of the United States, prohibiting the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

2. An act to incorporate the town of West Louisville, in Daviess county.

3. An act to incorporate the Hamilton College Library Association.

4. An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Courts of Justice; the 3d to the Committee on Education, and the 4th to the Committee on Revenue and Taxation.

Mr. Peterman withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act for the benefit of School District No. 33, in the county of Campbell.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to regulate banks and banking in this Commonwealth.

Mr. Darby moved that the further consideration of said bill be postponed for the day.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn moved that the special orders of the day be postponed for the day.

And the question being taken thereon, it was decided in the affirmative.

Mr. Darby, from the Committee on Codes of Practice, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled “An act regulating practice in civil cases,”

Reported the same, with an amendment as a substitute therefor.

On motion of Mr. Smith—

Ordered, That the further consideration of said bill and the proposed substitute be postponed, and that said proposed substitute be printed, and with the bill be recommitted to the Committee on Codes of Practice, with leave to report at any time.

Mr. Poyntz, from the Committee on Finance, to whom was recommitted a bill, which originated in the Senate, entitled

An act to provide for a registration of voters in the city of Maysville,

Reported the same, with an amendment as a substitute therefor,

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the town of Burnside, Pulaski county, Kentucky ;

An act to incorporate the Calloway County Agricultural Association ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester," approved February 2, 1882 ;

An act to incorporate the Central Contract Company ;

An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, Henderson county, changing the boundary thereof, and adding same to other districts ;"

An act to amend an act, entitled "An act to authorize the Carroll County Court to take stock in turnpike roads in said county, and the amendments thereto ;"

An act to incorporate the town of Alvaton, in Warren county ;

An act to amend an act, entitled "An act to provide a security for manufacturers and vendors of railroad equipment and rolling stock, in making conditional sales thereof ;"

And an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend and continue in force an act, entitled "An act to incorporate the Deposit Bank of Elizabethtown," approved March 12, 1870 ;

Resolution raising a special joint committee to consider the

propriety of re-districting the State into Congressional Districts ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

By unanimous consent, the rules were suspended, and Mr. Dickerson reported a bill, entitled

An act to incorporate the Owensboro Fire Insurance Company, of Owensboro, Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate dispensed with the reading of the Journal of yesterday.

And the question being taken thereon, it was decided in the affirmative.

The Journal of yesterday was then read.

Mr. Dickerson moved to expunge from said Journal all motions and proceedings, except the motion to reconsider the vote by which the Senate had disagreed to the same, and the vote on the passage thereof on the consideration of the bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled 'An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth,'

Because none of said motions and proceedings were in order when they were made and taken, the third reading of said bill

and the vote ordering it to a third reading not having been reconsidered before said motions were made and voted on,

Mr. Peterman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Hays, leave of absence, indefinitely, was granted Mr. Berry.

Bills which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the Odd Fellows' Orphanage.

By Mr. Darby, from the Committee on Codes of Practice—

An act to authorize William Carter, of Caldwell county, to solemnize marriage in said county.

By Mr. English, from the Committee on Internal Improvements—

An act to amend the charter of Cabin Creek, East Fork & Concord Turnpike Road Company.

By same—

An act to incorporate the Kentucky Drilling Company.

By Mr. Newman, from the Committee on Propositions and Grievances—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Calhoun,'" approved March 4, 1872, approved March 7, 1873.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Larue County Deposit Bank," approved February 16, 1888.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. English—

1. A bill to amend section 49, of chapter 39, General Statutes.

On motion of Mr. Stewart—

2. A bill to establish and maintain a graded common school, and for issuing bonds therefor in Eden, Martin county.

On motion of same—

3. A bill providing for erecting and furnishing school-houses in the common school districts of this Commonwealth.

On motion of Mr. Darby—

4. A bill to further define the jurisdiction and powers of courts of equity in actions to quiet title to land.

On motion of Mr. Newman—

5. A bill to create the office of commissioner of bonds for the city of Louisville.

On motion of Mr. Berry—

6. A bill to create the State criminal court, and to provide for the election, and appoint officers of, and providing for the payment of the salaries and fees of the officers, and jurisdiction of said court.

On motion of Mr. Anderson—

7. A bill to amend chapter 22, General Statutes, title "Contracts."

On motion of Mr. Hays—

8. A bill to incorporate the Union Investment Company.

On motion of Mr. Paul—

9. A bill, entitled "An act to amend the charter of the city of Somerset."

On motion of same—

10. A bill, entitled "An act to incorporate the Somerset & Western Kentucky Railroad Company."

On motion of Mr. May—

11. A bill, entitled "An act to regulate the taking of depositions during any term of the Hardin Circuit Court."

On motion of Mr. Cockrell—

12. A bill to incorporate the Ford Savings Bank.

On motion of Mr. Glenn—

13. A bill, entitled "An act to amend an act, entitled 'An

act to incorporate the Paducah & Cairo Railroad Company,''' approved March 19, 1888.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 7th; the Committee on Education the 2d and 3d; the Committee on Codes of Practice the 4th, 9th and 11th; the Committee on Courts of Justice the 5th; the Committee on the Judiciary the 6th; the Committee on Banks and Insurance the 8th and 12th, and the Committee on Railroads the 10th and 13th.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Newman, from the Committee on Courts of Justice—

An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issue of bonds of the city.

By same—

An act to amend the charter of the city of Newport, exempting certain personal property from taxation.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Jeffersontown & Seatonville Turnpike Road Company.

By same—

An act to amend the charter of the Cabin Creek Turnpike Road Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to repeal an act, entitled "An act to incorporate the Ironside Bank of Smithland," approved May 4, 1888, and to re-enact a charter in lieu thereof.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed, and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Newman, the Senate then adjourned.

FRIDAY, MARCH 7, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Mechanics' Savings Bank and Trust Company, approved May 3, 1888.

An act to amend an act, entitled "An act to prevent certain domestic animals from running at large in certain counties in this Commonwealth," approved May 3, 1888.

An act to amend article 4, chapter 92, of the General Statutes, entitled "Revenue and Taxation."

An act for the benefit of G. H. Gardner, late sheriff of Grayson county

An act to amend an act incorporating the Daviess County Fair Company.

An act to declare Horse Fork creek a navigable stream.

An act to prevent the obstruction of Licking river.

That they had passed bills of the following titles, viz :

1. An act to further extend the time for sheriffs and ex-sheriffs to collect their outstanding and uncollected taxes and fee-bills.

2. An act to increase the jurisdiction of magistrates in the city of Covington to two hundred dollars.

3. An act to declare Woodcock's Branch, in Henry county, a navigable stream from Grub Ridge Church to Big Six-mile creek.

4. An act to prevent stock from running loose within the corporate limits of the town of Warsaw.

5. An act to amend an act, entitled "An act to incorporate Kentucky Wagon Manufacturing Company," approved January 16, 1882.

6. An act to change and define the boundary lines of Hayfield Magisterial District, in the county of Campbell.

7. An act to amend section 7, article 5, chapter 92, General Statutes, title "Revenue and Taxation."

8. An act to change and fix the boundary line between the counties of Leslie and Perry.

9. An act to incorporate the Louisville Fair.

10. An act to amend an act to incorporate the Madison County Fair Association.

11. An act to amend section 4, article 6, of chapter 92, of the General Statutes.

12. An act to repeal an act, entitled "An act for the benefit of the tax-payers of Lyon county," approved February 6, 1878, and also to repeal an act amendatory thereof, approved April 2, 1880.

13. An act to amend an act, entitled "An act to incorporate the town of Briensburg, in Marshall county."

14. An act to amend an act, entitled "An act to incorporate the Farmers' Mutual Aid Association, of Mason county, Kentucky," approved January 26, 1882.

15. An act to change the Liberty Hall voting place, in District No. 2, in Breckinridge county.

16. An act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

17. An act to prevent hogs from running at large in the county of Jefferson, and provide a penalty therefor.

18. An act to incorporate the Breckinridge County Fair Company.

19. An act to amend the charter of the Washington County Stock and Agricultural Society.

20. An act imposing a tax on dogs in the county of Campbell, and providing for its collection, etc.

21. An act to amend the charter of the city of Covington.

22. An act to authorize the Harlan County Court to issue and sell the bonds of said county, and provide for the payment of the same for the purpose of a new jail.

23. An act to re-enact chapter 94, of Private Acts 1887-8.

24. An act to incorporate the Farmers' and Laborers' Union of Kentucky.

25. An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky.

26. An act for the benefit of the sureties of J. C. Holloway, late sheriff of Lyon county.

27. An act to incorporate the Pleasant Grove Cemetery Company.

28. An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

29. An act to amend an act, entitled "An act to amend an act and reduce into one the several act in relation to the city of Lebanon."

30. An act to amend the charter of the Lebanon Water-Works Company.

31. An act to repeal an act, entitled "An act to prescribe and define the jurisdiction of the Marion Circuit Court, at its June term of each year."

32. An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission," approved March 8, 1876.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 11th and 32d to the Committee on General Statutes; the 2d, 5th, 9th, 21st and 31st to the Committee on Courts of Justice; the 3d, 4th, 6th, 8th, 13th, 15th, 16th, 17th, 20th, 29th and 30th to the Committee on Propositions and Grievances; the 7th, 22d, 25th and 28th to the Committee on Revenue and Taxation; the 10th, 14th, 18th, and 19th to the Committee on Agriculture and Manufactures; the 12th, and 26th to the Committee on the Judiciary; the 23d to the Committee on Railroads, and the 24th to the Committee on Immigration and Labor.

On motion of Mr. Wright, leave of absence indefinitely was granted to Mr. Paul.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act to create the office of commissioner of bonds for the city of Louisville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to prevent extortion and discrimination in the transportation of freight and passengers by railroad corporations, and, in aid of that purpose, to establish a Board of Railroad Commissioners, and define its powers and duties ;"

An act for the benefit of Common School District No. 21, Lincoln county ;

An act for the benefit of Common School Districts Nos. 49 and 60, Lincoln county ;

Resolution raising a joint committee to examine the books, affairs, etc., of the A. & M. College ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Stewart, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act regulating the granting and classification of State certificates and county certificates to teachers in the common

schools of this Commonwealth, and defining the duties of certain officers in relation thereto,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Stewart—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Education.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wright—

1. A bill to incorporate the Bowling Green & Southern Railroad Company.

On motion of Mr. Cockrell—

2. A bill to incorporate the Cross Land and Lumber Company.

On motion of Mr. Dickerson—

3. A bill to amend section 506, of title 11, of the Civil Code of Practice, title "Reviver of Actions."

On motion of Mr. Glenn—

4. A bill to amend an act, entitled "An act to incorporate the Paducah and Mayfield Gravel Road Company," approved April 16, 1888.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Codes of Practice the 3d, and the Committee on Propositions and Grievances the 4th.

Mr. Huff, from the Committee on Public Health, to whom was referred the nominations by the Governor of J. A. Lucy, M. D., of Georgetown, and George Beeler, M. D., of Clinton, as members of the State Board of Health, the former to succeed himself, and the latter to succeed C. A. Mayer, M. D.

(For nominations see Senate Journal, page 400.)

Reported the same with the expression that said nominations be advised and consented to by the Senate.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

Mr. Smith, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the city of Middlesborough, in Bell county, Kentucky,

Reported the same, with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stewart, from the Committee on Penitentiary and House of Reform, to whom was recommitted a bill, which originated in the Senate, entitled

An act providing for the employment of convicts of the Penitentiary in the construction of turnpikes in certain counties in this Commonwealth,

Reported the same, with an amendment as a substitute therefor.

On motion of Mr. Stewart—

Ordered, That said substitute be printed, and with the bill recommitted to the Committee on Penitentiary and House of Reform.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms, and persons engaged in mining or manufacturing in this State, to pay their employes semi-monthly, in lawful money of the United States, prohibiting the issue of script, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation,

Reported the same, without amendment.

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for Thursday,

next, March 13th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Wortham, from the Committee on Charitable Institutions, to whom was referred the nominations by the Governor of Dr. J. Q. A. Steward, to be Medical Superintendent, and J. Monroe Adair, to be Steward of the Institution for Education and Training of Feeble-minded Children,

(For nominations, see Senate Journal, page 400.)

Reported the same back to the Senate, with the expression of opinion that said nominations should be advised and consented to.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

Mr. Wortham, from the Committee on Charitable Institutions, to whom was referred the nominations by the Governor of John T. Shelby, W. W. Estill and Thomas Mitchell, to be Commissioners of the Eastern Kentucky Lunatic Asylum to fill existing vacancies,

(For nominations see Senate Journal page 204.)

Reported the same, with the expression of opinion that said nominations should be advised and consented to.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

Mr. Smith, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Citizens' Bank of Princeton,

Reported the same, with an amendment as a substitute therefor,

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conner read and laid on the table the following joint resolution, viz :

WHEREAS, In September, October and November, 1862, the Ohio, Indiana and Michigan United States troops encamped on the farm of Mrs. Catharine Morin, a widow lady, residing near Newport, Kentucky, in Campbell county, and while there so encamped built forts and magazines, dug, excavated and built about 800 yards of entrenchments and rifle-pits through the most valuable portion of said farm, and took and converted her very valuable brick residence into a hospital for their sick and wounded soldiers, for a period of about three months, and burned for fuel about 1,000 panels of valuable plank fencing and post, and cut and destroyed much valuable timber for fuel, the property of the said Catharine Morin, and otherwise and in various ways took and converted to the use of said soldiers the property of the said Mrs. Morin, to her great damage; and, whereas, soon after said damage was done by said soldiers, said Mrs. Morin had the damages so done her by said soldiers assessed, made out her claim against the government of the United States, asking that said claim be paid, which claim has been lost or mislaid by the attorney employed by her to prosecute the same, so that the claim has never been adjudicated nor paid; now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That our Senators and Representatives in Congress be, and they are hereby, requested to do all in their power for the passage of a special act of Congress for the benefit of the heirs of the said Catharine Morin, providing for the payment by the United States government of said damages to said heirs.

Which, under the rules, lies one day on the table.

On motion of Mr. Newman, the rules were suspended, and said resolution was referred to the Committee on Immigration and Labor.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled :

An act to incorporate the town of Alvaton, in Warren county,
Which was granted.

Whereupon the Speaker appointed Mr. Wright said committee on the part of the Senate.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend article 1, chapter 55, of the General Statutes, title "Division Fences," approved May 17, 1886,

Reported the same, with an amendment as as a substitute therefor.

Mr. Wright proposed an amendment to said amendment proposed by the committee as a substitute for the bill.

On motion of Mr. Wright,

Ordered, That said bills and pending amendments be re-committed to the Committee on General Statutes.

Mr. Bradley moved to postpone the consideration of all bills pending as the special orders for the day, until a call of the committees was had,

And the question being taken thereon, it was decided in the negative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to regulate Banks and Banking in this Commonwealth.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1 That it shall be unlawful for any bank incorporated under the laws of this State, or for any firm, company, person, or association of persons, associated together for the purpose of doing a banking business in this State, and not organized and doing business at the date of the passage of this act, to begin or engage in the business of banking in this State, until each and every share of the original capital stock shall have been subscribed for in good faith, and at least fifty per cent. of each share of said capital stock has been paid up in actual money : *Provided*, That the stockholders may, by resolution, adopted in due form before organization, reduce or fix the amount of its original capital stock, authorized by its charter to any amount not less than fifty thousand dollars, which resolution shall be recorded in the office of the Secretary of State, and the clerk of the county court of the county in which the bank is located or the business is to be transacted within thirty days after its adoption.

§ 2. That all banks, banking associations and trust companies, incorporated under the laws of this State, for the purpose of doing a banking business in this Commonwealth, who

are duly organized and doing business at the date of the passage of this act, the whole of the capital stock has not been subscribed for, and at least fifty per cent. of said capital stock has not been actually paid up in cash, are required to have each and every share of the original capital stock subscribed for in good faith, and at least fifty per cent. of every share paid up in lawful money of the United States, within twelve months after the passage of this act: *Provided*, That the directors of said incorporated banks or the officers of any such firm, company or association may, by resolution, duly adopted, fix the amount of the capital stock at any amount not less than fifty thousand dollars (which shall be considered the original authorized capital stock for the purposes of this act), and shall have said resolution recorded as required in the first section of this act.

§ 3. It shall be unlawful for any incorporated bank, or any firm, company, or associations of persons, associated together to do a banking business, to receive in payment of any capital stock subscribed for, any note, bond, bill, or other evidence of debt or obligation, but shall require, and said stock shall be paid for in actual lawful money before they are authorized to engage in business under this act.

§ 4. That all banks and banking institutions incorporated or chartered under the laws of this State, and all firms, companies, persons or associations of persons, doing a banking business in this State, are hereby required to make out a true statement of the condition of the business of said bank or banking business, and publish the same once every six months in some newspaper circulated in the vicinity of the bank, and said statement shall be sworn to by the cashier of said institution, whether it is a corporation, firm, company or private business.

§ 5. If the officers of any bank or banking institution or person engaged in banking in this State, whose duty it is to conduct, manage or aid in the conduct and management of its business and affairs of said bank or banking institution or company, firm or association, shall willfully or intentionally refuse or fail to comply with the provisions and requirements of this act, or shall willfully or intentionally make any false or untrue statement in regard to its business affairs or condition for the purpose of deceiving any officer of said bank, or any person interested in the conduct and management of said bank, either as depositor, stockholder or patron thereof, he shall, upon indictment and conviction, be fined in any sum not exceeding one thousand dollars; and upon conviction of the officers of any incorporated or chartered banks under the provisions of this act, the charter of said bank may be forfeited, and proceedings to have the forfeiture declared shall be instituted by the Commonwealth's Attorney of the district wherein the bank is located, in the circuit court or any court of general equity jurisdiction in the county where said bank is engaged in business,

and if a forfeiture of charter shall be declared by the judgment of such court, the Commonwealth's Attorney shall receive a fee of not less than one hundred dollars and not more than five hundred dollars, to be paid out of the assets of said bank.

§ 6. That when any bank incorporated shall have forfeited its charter, and the forfeiture has been adjudged as provided for in the preceding section, or when the officers of firm, company or association of persons doing a banking business shall have been indicted and convicted under this act, the court shall, by proper order, appoint a receiver to take charge of the assets of said bank, and place the property, money, notes, bonds, bills, books and the affairs of said bank or association or person in the possession of said receiver, who shall proceed to settle the business of said bank as the business and affairs of insolvent corporations are settled by law: *Provided*, The bank or firm, association or company, may supercede the judgment of forfeiture and the order appointing a receiver and placing the bank in his custody, and prosecute an appeal to the Court of Appeals, an order appointing a receiver shall be considered a final order, and an appeal prosecuted from it as in case of judgments of court. The court trying the case shall require such bond as it deems sufficient to secure the rights of parties interested.

§ 7. That the provisions of this act shall apply to all charters of banks passed at the present session, or that may be hereafter passed by the General Assembly of Kentucky, unless, by special and direct words in said charter, it provided that it shall not apply, and all laws, general, local, special or private, in conflict herewith are hereby repealed.

§ 8. This act shall take effect and be in force from and after its passage.

The Committee on Banks and Insurance had heretofore reported the following amendment as a substitute for said bill, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be unlawful for any bank, banking association or trust company, incorporated under the laws of this State, and not organized and doing business at the passage of this act, to begin or engage in the business of banking or operating a trust company in this State, until each and every share of the original capital stock shall have been subscribed for in good faith, and at least fifty per cent. of each share of said stock shall have been paid up in actual money: *Provided*, That the stockholders may, by resolution, adopted in due form before organization, reduce or fix the amount of its original capital stock, authorized by its charter, to any amount not less than fifty thousand dollars, which resolution shall be recorded in the office of the Secretary of State and the clerk of the county court of the county in which the bank is located or the

business is to be transacted, within thirty days after its adoption.

§ 2. That all banks, banking associations and trust companies incorporated under the laws of this State, which are duly organized and doing business at the date of the passage of this act, the whole of the capital stock of which has not been subscribed for, and at least fifty per cent. of said capital stock been actually paid in cash, are required to have each and every share of the original capital stock subscribed for in good faith, and at least fifty per cent. of every share paid up in lawful money of the United States within twelve months after the passage of this act: *Provided*, That the directors of said incorporated bank, banking association or trust company may, by resolution, duly adopted, fix the amount of the capital stock at an amount not less than fifty thousand dollars (which shall be considered the original authorized capital stock for the purposes of this act), and shall have said resolution recorded as required in the first section of this act.

§ 3. It shall be unlawful for any incorporated bank, banking association or trust company to receive, in payment of any capital stock subscribed for, anything except lawful money.

§ 4. That all banks, banking associations and trust companies chartered under the laws of this State are hereby required to make a true statement of their condition, and publish the same once every six months in some newspaper circulated in the vicinity of the bank, and said statement shall be sworn to by the cashier or president of said bank, banking association or trust company.

§ 5. If the officers of any bank or banking association or company shall willfully or intentionally refuse or fail to comply with the provisions or requirements of this act, or shall willfully or intentionally make any false or untrue statement in regard to its business affairs or condition, for the purpose of deceiving any officers of said bank, banking association or trust company, or any person interested in the conduct and management of said bank, either as depositor, stockholder or patron thereof, he shall, upon indictment and conviction, be fined in any sum not exceeding one thousand dollars.

§ 6. That the provisions of this act shall apply to all charters of banks, banking associations or trust companies, passed at the present session, or that may be hereafter passed by the General Assembly of Kentucky, unless, by special and direct words in said charter, it is provided that it shall not apply, and all laws, general, local, special or private, in conflict herewith, are hereby repealed.

§ 7. This act shall take effect and be in force from and after its passage.

And the question being taken on the adoption of the amendment proposed by the committee as a substitute for said bill, it was decided in the affirmative.

Mr. Newman moved that when the Senate adjourns, it be to meet on Tuesday, March 11th, at 10:30 A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

B. F. Cockrell,	William Goebel,	A. L. Peterman,
W. W. Dickerson,	John McCann,	Phil Roberts,
Sam E. English,	John P. Newman,	D. W. Wright—10.
G. W. Gates,		

Those who voted in the negative, were—

Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	D. H. Smith,
F. W. Darby,	J. H. Lunsford,	A. H. Stewart,
T. L. Glenn,	J. W. Martin,	G. Terry,
J. B. Hannah,	D. L. May,	J. S. Wortham—17.
John K. Hendrick,	J. M. Pieratt,	

Mr. Wortham moved that when the Senate adjourn, it be to meet on Monday next, March 10th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Newman and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	John K. Hendrick,	John McCann,
B. F. Cockrell,	John R. Kemp,	John P. Newman,
Reuben Conner,	William Lindsay,	A. L. Peterman
F. W. Darby,	J. H. Lunsford,	B. F. Reynolds,
W. W. Dickerson,	J. W. Martin,	Phil Roberts,
T. L. Glenn,	D. L. May,	J. S. Wortham—18.

Those who voted in the negative, were—

Sam E. English,	J. B. Hannah,	A. H. Stewart,
G. W. Gates,	J. M. Pieratt,	G. Terry,
William Goebel,	D. H. Smith,	D. W. Wright—9.

Mr. Peterman moved to reconsider the vote by which the

Senate adopted the motion made by Mr. Wortham, that when the Senate adjourn, it be to meet at 3 o'clock P. M., on Monday next, March 10th.

Mr. Hendrick moved to lay that motion on the table.

Mr. Smith moved that the Senate do now adjourn.

Pending the roll-call on which motion, the hour of 1 o'clock P. M. having arrived, further action on the bill was cut off.

And then the Senate adjourned.

MONDAY MARCH 10, 1890.

The reading of the Journal of Friday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the city of Middlesborough, in Bell county, Kentucky.

An act to incorporate the Farmers' Bank and Trust Company of Stanford, Kentucky.

An act to incorporate the Beattyville Street Railway Company.

An act to incorporate the Newport Electric Car Company, Newport, Kentucky.

An act to incorporate the North Kentucky Summer Institute, of Cynthiana.

That they had concurred in a joint resolution, adopted by the Senate, entitled

Resolution directing the return to Governor of Senate bill 116, entitled "An act to repeal an act to prevent the drifting of saw-logs below Salyersville, on the Licking river."

That they had disagreed to a bill, which originated in the Senate, entitled

An act creating an additional voting and magisterial precinct in Lewis county.

That they had passed a bill, entitled

An act to authorize the common council of the city of Owensboro to issue bonds for the purpose of building a city hospital.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Courts of Justice.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed an enrolled bill and a joint resolution, which originated in the Senate, of the following titles, viz :

An act to amend and continue in force an act, entitled "An act to incorporate the Deposit Bank of Elizabethtown," approved March 12, 1870.

Resolution raising a special joint committee to consider the propriety of re-districting the State into Congressional Districts.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 10, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Wm. Ayers, Jefferson county.
Charles R. Baugh, Laurel county.
J. M. Bailey, Knott county.
O. J. Owen Brewster, Jefferson county.
M. J. Burke, Jefferson county.
F. B. Bullock, Fayette county.
P. S. Campbell, Jefferson county.

W. H. Carrier, Laurel county.
 John H. Crain, Anderson county.
 J. M. Craddock, Hart county.
 F. V. Gray, Franklin county.
 D. I. Heyman, Jefferson county.
 J. W. James, Jefferson county.
 Samuel M. James, Ohio county.
 W. McC. Johnston, Jefferson county.
 Wm. Kelday, Jefferson county.
 Peter Kingerty, Monroe county.
 R. G. McCorkle, Jefferson county.
 Dan S. McMillin, Monroe county.
 Ernest Macpherson, Jefferson county.
 Jno. G. Metcalfe, Kenton county.
 Bryon S. Miller, Russell county.
 J. H. Moore, Bracken county.
 Jno. B. Northcott, Bourbon county.
 L. H. Petree, Todd county.
 H. A. Polley, Jefferson county.
 W. G. Simpson, Cumberland county
 G. R. Sneed, Franklin county.
 John Stegman, Jefferson county,
 John W. Stewart, Ohio county.
 R. K. Storey, Fleming county.
 Robt. E. Strong, Jefferson county.
 George C. Swetman, Lawrence county.
 H. C. Theissen, Kenton county.
 W. C. Trabue, Jefferson county.
 W. V. Weldqn, Bracken county.
 W. C. Wheeler, Jefferson county.
 John M. Wison, Mercer county.
 Buckner Woodford, Bourbon county.
 W. E. Cabell, Bell county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,	}
EXECUTIVE DEPARTMENT,	
FRANKFORT, March 10, 1890.	

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent, will appoint H. A. Watkins a member of the Board of

Trustees of the "State Normal School for Colored Persons,"
vice W. J. Macy, whose term has expired.

Very respectfully,

S. B. BUCKNER.

Ordered, That said nomination be referred to the Committee on Education.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, March 10, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent will appoint the following-named officers for the Central Kentucky Lunatic Asylum: W. J. Byrne, Superintendent; E. H. Jones, First Assistant Physician; Silas Evans, Second Assistant Physician; David Stone, Steward.

Very respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Lincoln County Building and Savings Association."

By same—

An act to incorporate the Jackson Building and Loan Association.

By same—

An act to amend an act, entitled "An act to incorporate the Henderson Trust Company," approved March 13, 1886.

By Mr. Breckinridge, from the Committee on Railroads—

An act to incorporate the Cumberland Railroad Company.

By Mr Wright, from the Committee on General Statutes—

An act to amend an act, entitled “An act to amend article 1, chapter 55, of the General Statutes, title ‘Division Fences,’” approved May 17, 1886.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Pineville Street Railway Company.

With amendments to the four last-named bills,

Which were adopted.

Ordered, That said bills, the four last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act creating a board of Commissioners for Nicholas county,

Reported the same, with an amendment as a substitute therefor.

On motion of Mr. Reynolds—

Ordered, That the proposed substitute be printed, and with the bill, be recommitted to the Committee on Agriculture and Manufactures.

On motion of Mr. Terry, leave of absence indefinitely was granted Mr. Poyntz.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend an act, entitled “An act to establish a State Board of Health, to provide for the appointment of Local Boards of Health, and a Superintendent of Vital Statistics,” approved March 16, 1878.

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, March 18, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,' " approved April 25, 1888.

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday, March 18, 1890, at 11 o'clock A. M., and from day to day until disposed.

Mr. Reynolds withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate and amend the laws for the town of Sharpsburg, Bath county.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—
An act to incorporate the Union Investment Company.

By same—

An act to charter the Monticello Banking Company.

By same—

An act to incorporate the Kenyon Bank, Trust and Guarantee Company.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Belt Line Railroad Company, of Owensboro.

By Mr. Lindsay, from the same committee—

An act supplementary to and to amend an act, entitled "An act to incorporate the Hopkinsville & Cadiz Railroad Company," approved April 8, 1884.

By Mr. Smith, from the Committee on Executive Affairs—

An act for the benefit of S. S. Fitzpatrick, of Hart county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Reynolds—

1. A bill, entitled “An act to regulate the licensing of the sale of spirituous, vinous and malt liquors in the city of Carlisle.”

On motion of same—

2. A bill, entitled “An act to amend an act, entitled ‘An act to reduce into one the several acts in relation to turnpike roads in Nicholas county and appertaining thereto, and providing for a turnpike commissioner,’ ” approved February 29, 1888.

On motion of Mr. Roberts—

3. A bill to incorporate the Waco & Richmond Railway Company.

On motion of Mr. Breckinridge—

4. A bill to amend section 8, of article 2, of chapter 44, of the General Statutes.

On motion of Mr. Wright—

5. A bill for the benefit of Carpenter, Annear & Co.

On motion of Mr. Smith—

6. A bill to amend section 2, article 5, of chapter 5, of the General Statutes.

On motion of same—

7. A bill to amend section 1, article 4, of chapter 5, of the General Statutes.

On motion of same—

8. A bill for the benefit of S. S. Fitzpatrick, of Hart county.

On motion of Mr. Darby—

9. A bill to repeal an act, entitled “An act creating and establishing the office of State Inspector and Examiner, and prescribing his duties and defining his powers,” approved May 3, 1888.

Ordered, That the Committee on Executive Affairs prepare and bring in the 1st and 8th; the Committee on Agriculture and Manufactures the 2d; the Committee on Propositions and

Grievances the 3d and 5th, and the Committee on General Statutes the 4th, 6th, 7th and 9th.

Mr. Hays asked the appointment of a committee to withdraw from the House of Representatives the announcement of the passage by the Senate, of a bill, which originated in the Senate, entitled

An act to create the office of Commissioner of Bonds for the city of Louisville,

Which was granted.

Whereupon the Speaker appointed Mr. Hays such committee.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act for the better protection of food fish in Green river and its tributaries.

On motion of Mr. Wortham—

Ordered, That said bill and pending amendment be recommitted to the Committee on Proposition and Grievances.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act for the benefit of W. Carpenter, of Bullitt county,

Reported the same, without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays,

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Claims.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Henderson Fire Insurance Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend the law as to the distribution of insolvent estates.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the rule of distribution under any deed of assignment made after this act goes into effect, as to priorities marshaling of securities and otherwise, shall be the same as is now directed by law to be observed in the distribution of the estates of decedents, except in this, that in all distributions of insolvent estates, whether in the winding up of assignments of decedents' estates, or of estates of parties who have attempted to prefer some of their creditors, the rule shall prevail, known as "the rule in bankruptcy," by which lien creditors are allowed to prove a claim against the general assets for that part of their demands which is not satisfied by their lien, and for that part alone.

§ 2. That no deed of assignment hereafter made, or purporting to be made, for the equal benefit of the grantor's creditors, shall be deemed void by reason of any fraudulent intent of the grantor, inducing the making of such deed, whether appearing on its face or not; nor by reason of any unlawful reservations, terms, conditions or clauses therein contained; nor by reason of any fraud or bad faith in the management of the trust; but any such fraudulent intent, unlawful reservation, terms, conditions or clauses, fraud or bad faith in the management, shall be ground for the removal of the assignee at the instance of a creditor and such other remedies by which a court of equity can secure the rights of all the creditors under the trust; and any such unlawful reservations, terms, conditions and clauses shall, moreover, in the conduct of the trust, be wholly disregarded.

§ 3. An assignee under a deed made for the benefit of the grantor's creditors, or any successor appointed for him, or a court of equity acting in his stead through a receiver, or otherwise, for the benefit of the creditors, shall, for the purposes of the trust, be vested with all the grantor's property and effects of every kind, whether held by the grantor or others, which a creditor, holding a judgment and an execution returned "No property found," could have subjected to the satisfaction of such grantor's debt; but where such property or effects are sub-

ject to the satisfaction of some demands only, then the assignee, his successor or the court, shall be vested therewith, for the benefit of the holders of such demands only, and to the extent only, that is needed for the satisfaction thereof.

§ 4. The rule holding the sale of personal chattels without delivery of possession, void, shall be the same in equity, as at law, whenever the recognition of any other rule would result in giving the vendee of such chattels any inequitable advantage or preference over any creditor of the vendor.

§ 5. Nothing in the first section of this act contained shall be construed as repealing the law contained in "An act to provide for laboring men and supply men," approved March 20, 1876, as far as the same is now in force, and in an act of May 4, 1880, amendatory thereof, published as article 3, of chapter 70, of Bullitt & Feland's edition of the General Statutes; but the lien given by said acts, as they now stand, shall apply to the settlement of insolvent decedents estates, the death of the debtor taking the place of an assignment for benefit of creditors under said act.

§ 6. Whenever a general attachment is issued hereafter on the ground given by subsection 2, of section 185, of the Code of Practice, in civil cases alone, or is issued on that and other grounds, but be sustained on the former ground only, the lien of the levy, except for the costs and such attorney's fee as the court may, in its equitable discretion, allow, shall be subordinate to the claims of creditors under a deed of assignment, which shall be lodged for record within thirty days after such attachment comes into the hands of the officer, or under an assignment by operation of law; that is, under an act of attempted preference, committed within such thirty days, and turned into a general assignment by article 2, of chapter 44, of the General Statutes.

§ 7. If an attachment on the ground named above alone, or on that ground and other grounds, but which can be sustained on that ground only, has been issued for a sum not less than two hundred and fifty dollars, and the defendant therein fails to make a general assignment within thirty days thereafter, his omission to do so shall be deemed an act of attempted preference as of the thirtieth day, and shall work an assignment, to which the lien of the attachment shall become subordinate to: *Provided*, That proceedings are taken within ninety days thereafter, and in the manner set forth in article 2, of chapter 44, of the General Statutes. But nothing herein contained shall be construed as abridging the rights of creditors to attack any attachment as collusive, as far as they have such right under the present law: *And provided, also*, That if the defendant in the attachment controvert the same effectually, and cause it to be discharged, he may thereby defeat the action to bring him within the statute against preferences in contemplation of insolvency.

§ 8. This act shall take effect from the fifteenth day of May, 1890.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr Glenn moved to reconsider the vote by which the Senate had passed said bill.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Haunah, from the Committee on Military Affairs, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act for the benefit of certain men who belonged to the State troops," approved March 11, 1867,

Reported the same with an amendment.

Said bill reads as follows, viz :

WHEREAS, Under the provisions of the act to which this is an amendment, a certificate was issued by the Quartermaster-General of the State to John B. Lindsey, as attorney for the officers and soldiers whose pay was audited and allowed under the said law, for the sum of five thousand two hundred and ninety dollars and twenty-eight cents, which was payable out of the military fund, and the resources of said fund having been transferred to the Sinking Fund, and to the General Revenue account, except the sum of thirteen hundred and twenty-seven dollars and sixty-six cents, which has been paid upon said claim, leaving a balance due thereon of three thousand nine hundred and sixty-two dollars and sixty-two cents; and, whereas, the voucher or pay-roll on which said certificates issued has never been presented for collection from the United States, because the same has never been fully paid, and it is desired that said voucher be fully paid, and that the amount thereof may be collected from the United States; and said attorney, under instructions from, and in settlement with, his said clients consenting hereto, and he having filed in the Auditor's office a certified copy of the said pay-roll, showing the amounts allowed to each officer and soldier authorized to be paid under the act to which this is an amendment; now,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That three thousand nine hundred and sixty-two dollars and sixty-two cents be, and the same is hereby, appropriated out of any money in the Treasury, not otherwise

appropriated, to pay said unpaid balances due said officers and soldiers, under the said certificate and pay-roll recited in the preamble hereof; and, as the said officers and soldiers apply for their said pay, the Auditor is directed, out of the money hereby appropriated, to draw his warrant on the Treasurer in favor of such officers or soldiers, or their authorized agent, for the amounts respectively due them and unpaid as aforesaid; and as soon as all of said officers and soldiers have been so fully paid off, the Auditor is directed to certify said fact to the Adjutant-General of the State.

§ 2. The Adjutant-General is directed, when the fact of said payment is certified to him by the Auditor, then to present the voucher for said five thousand two hundred and ninety dollars and twenty-eight cents, accompanied by said certificate of payment, as a part of the war claim of Kentucky, for collection from the United States.

§ 3. This act shall take effect from and after its passage.

The amendment proposed by the committee reads as follows, viz :

1. By inserting between the word "cents" and the word "be," in the third line of the first section, the following: "or so much thereof as may be necessary."

2. By striking out of the tenth line of the first section the words "or their authorized agents."

§ 3. By adding to the end of the second section the following proviso: "*Provided, however,* That before any appropriation or any payments are made hereunder, the Adjutant-General of the State shall re-audit the claims of said officers and soldiers, and, after ascertaining and approving the amounts which were respectively due to them, he will deduct the amounts heretofore paid to each, and certify to the Auditor of Public Accounts for payment under this law, the balance respectively due said officers and soldiers."

Mr. Smith moved to lay said bill and proposed amendment on the table,

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Huff, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	B. F. Reynolds,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	D. L. May,	J. S. Wortham,
Sam E. English,	J. W. McCain,	D. W. Wright—12.

Those who voted in the negative, were—

F. W. Darby,	William Lindsay,	J. M. Pieratt,
T. L. Glenn,	J. H. Lunsford,	Phil Roberts,
R. G. Hays,	J. W. Martin,	A. H. Stewart,
J. B. Hannah,	J. J. Paul,	G. Terry—13.
J. P. Huff,		

The question was then taken on the adoption of the amendment proposed by the committee to said bill, and it was decided in the negative.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Reynolds and Stewart, were as follows, viz:

Those who voted in the affirmative, were—

F. W. Darby,	J. P. Huff,	J. J. Paul,
T. L. Glenn,	William Lindsay,	Phil Roberts,
R. G. Hays,	J. W. Martin,	A. H. Stewart—9.

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	B. F. Reynolds,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	D. L. May,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham,
J. B. Hannah,	J. M. Pieratt,	D. W. Wright—15.

So said bill was rejected.

Mr. Breckinridge moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative by the casting vote of the Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Anderson and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	A. H. Stewart,
John K. Hendrick,	D. L. May,	D. W. Wright—12.

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	B. F. Reynolds,
Sam E. English,	J. H. Lunsford,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	G. Terry,
J. B. Hannah,	John McCann,	J. S. Wortham—12.

And then the Senate adjourned.

TUESDAY, MARCH 11, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, of the following titles, viz :

1. An act to incorporate the Big Hill & Manchester Railroad Company.

2. An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live-stock, and all other, except life, insurance companies," approved March 12, 1870.

3. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Danville,' " approved March 10, 1873, which act was approved February 18, 1890.

Which bills were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Railroads ; the 2d to the Committee on Banks and Insurance, and the 3d named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, who had been appointed a committee on the part of the Senate, to ask the withdrawal from the House of Representatives, the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to create the office of Commissioner of bonds for the city of Louisville,

Reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCann proposed an amendment to said bill as a substitute therefor,

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. English, from the Committee on Charitable Institutions, to whom was referred the nominations by the Governor of W. J. Byrne, to be Superintendent; E. H. Jones, to be First Assistant Physician; Silas Evans, to be Second Assistant Physician, and David Stone, to be Steward of the Central Kentucky Lunatic Asylum,

Reported the same, with the expression of opinion that said nominations should be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Peterman, from the Committee on Education, to whom was referred the nomination by the Governor of H. A. Watkins to be a member of the Board of Trustees of the State Normal School for Colored Persons, *vice* W. J. Macey, whose term has expired,

Reported the same, with the expression of opinion that said nomination should be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, March 11, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Thomas W. Blackhart, Jefferson county.

John B. Castleman, Jefferson county.

F. H. Dorsel, Kenton county.

John Henry Gatewood, Scott county.

A. C. Greene, Scott county.

Getty E. Snell, Warren county.

Joseph H. Niehoff, Jefferson county.

George E. Rawson, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Goebel, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 57, of the General Statutes, entitled
“Injuries to Person or Property,”

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Lindsay moved that the further consideration of said bill be postponed, and that said bill be printed and made the special

order of the day for Tuesday, March 18, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Goebel moved to amend said motion by striking out "Tuesday, March 18th," and insert "Friday, March 14th."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the motion made by Mr. Lindsay, as amended, and it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Henderson Belt Railroad Company," approved April 12, 1888.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz.

An act to incorporate the Kinniconnick & Freestone Railroad Company;

An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky;

An act to amend an act, entitled "An act to incorporate the Maysville Street Railroad and Transfer Company," approved January 22, 1888;

An act to incorporate the Newport Electric Car Company, Newport, Kentucky ;

An act to amend the charter of Cabin Creek, East Fork and Concord Turnpike Road Company ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Calhoon,' " approved March 4, 1872, approved March 7, 1873 ;

An act to authorize William Carter, of Caldwell county, to solemnize marriage in said county ;

An act to re-charter the town of Mt. Vernon, in Rockcastle county ;

An act to authorize the board of trustees of the town of Eddyville, Lyon county, to sell or lease certain streets of said town.

An act for the benefit of School District No. 33, in the county of Campbell ;

An act to establish a city government for the town of North Middletown ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville ;

An act to incorporate the Middlesborough Street Railway Company ;

An act to amend an act, entitled "An act to prevent certain domestic animals from running at large in certain counties in this Commonwealth," approved May 3, 1888 ;

An act to amend article 4, chapter 92, of the General Statutes ;

An act for the benefit of G. H. Gardner, late sheriff of Grayson county ;

An act to amend an act incorporating the Daviess County Fair Company ;

An act to prevent the obstruction of Licking river ;

An act to amend the charter of the Mechanics' Savings Bank and Trust Company, approved May 3, 1888 ;

Resolution directing the return to Governor Senate bill 116, entitled "An act to repeal an act to prevent the drifting of sawlogs below Salyersville, on the Licking river ;"

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr English, from the Committee on Internal Improvements—

An act to repeal an act, entitled “An act to amend the charter of the Danville and Hustonville Turnpike Road Company.”

By Mr. Lindsay, from the Committee on the Judiciary—

An act to incorporate the Kentucky Women’s Confederate Association.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act creating a new charter for the town of Stamping Ground, Scott county.

By same—

An act to amend, revise and reduce into one the several acts concerning the town of Madisonville, and to re-incorporate said town.

By same—

An act to incorporate the town of Ilsley, in Hopkins county.

By same—

An act to establish an additional voting precinct in Hickman county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Union Bank of Maysville.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky.

Mr. McCain moved that the further consideration of said bill be postponed until to-morrow.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	William Lindsay,	D. H. Smith,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart,
F. W. Darby,	J. W. Martin,	G. Terry,
T. L. Glenn,	D. L. May,	J. S. Wortham,
William Goebel,	J. W. McCain,	D. W. Wright—25.
J. B. Hannah,		

Those who voted in the negative, were—

W. W. Dickerson,	R. G. Hays,	Phil Roberts—5:
Sam E. English,	J. M. Pieratt,	

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to make the provisions of an act to incorporate the purchasers of Railroads, approved March 1, 1876, and the amendments thereto, apply to the purchasers of turnpike roads,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the provisions of the act, entitled "An act to incorporate the purchasers of railroads," approved March 1, 1876, as amended, are hereby made to apply to purchasers at judicial sales heretofore or hereafter made of the franchises and roads belonging to turnpike companies.

§ 2. This act shall take from its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Pieratt—

1. A bill to authorize the Morgan County Court to appropriate money in the hands of W. A. Maxey, Receiver of the Morgan County Court, raised under an act approved April 5, 1880, to the building of a jail for Morgan county.

On motion of Mr. Lunsford—

2. A bill to punish trespassing upon the inclosures of citizens of Hopkins and Christian counties.

On motion of Mr. Anderson—

3. A bill, entitled "An act to amend chapter 291, of the Session Acts of 1867-8, so far as it applies to Shelby county."

On motion of Mr. Breckinridge—

4. A bill to amend section 481, Civil Code.

On motion of same—

5. A bill to amend chapter 57 of the General Statutes.

On motion of Mr. Hendrick—

6. A bill to repeal chapter 682, Acts 1885-1886, approved April 19, 1886.

On motion of same—

7. A bill to repeal chapter 1393, Acts 1879-1880, approved May 4, 1880.

On motion of same—

8. A bill requiring conductors to be placed on street cars in this Commonwealth.

On motion of Mr. Roberts—

9. A bill to incorporate the town of Berea, Madison county.

On motion of Mr. Peterman—

10. A bill, entitled “An act to establish Common School District No. 23, white, Metcalfe county.”

On motion of Mr. Cockrell—

11. A bill to incorporate the Winchester Street Railway Company.

Ordered, That the Committee on Finance prepare and bring in the 1st; the Committee on Propositions and Grievances, the 2d and 9th; the Committee on General Statutes, the 3d and 5th; the Committee on Codes of Practice, the 4th; the Committee on the Judiciary, the 6th, 7th and 8th; the Committee on Education, the 10th, and the Committee on Railroads, the 11th.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to regulate banks and banking in this Commonwealth.

(For bill, see Senate Journal, March 7th.)

The amendment proposed by the Committee on Banks and Insurance as a substitute for the bill, and which was adopted by the Senate on March 7th, reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be unlawful for any bank, banking association, or trust company incorporated under the laws of this State, and not organized and doing business at the passage of this act, to begin or engage in the business of banking or operating a trust company in this State, until each and every share of the original capital stock shall have been subscribed for in good faith, and at least fifty per cent. of each share of said stock shall have been paid up in actual money: *Provided*, That the stockholders may, by resolution, adopted in due form before organization, reduce or fix the amount of its original capital stock authorized by its charter to any amount not less than fifty thousand dollars, which resolution shall be recorded in the office of the Secretary of State and the clerk of the county court of the county in which the bank is located or the business is to be transacted, within thirty days after its adoption.

§ 2. That all banks, banking associations and trust companies incorporated under the laws of this State, which are duly organized and doing business at the date of the passage of this act, the whole of the capital stock of which has not been subscribed for, and at least fifty per cent. of said capital stock been actually

paid in cash, are required to have each and every share of the original capital stock subscribed for in good faith, and at least fifty per cent. of every share paid up in lawful money of the United States within twelve months after the passage of this act: *Provided*, That the directors of said incorporated bank, banking association or trust company may, by resolution, duly adopted, fix the amount of the capital stock at an amount not less than fifty thousand dollars (which shall be considered the original authorized capital stock for the purposes of this act), and shall have said resolution recorded as required in the first section of this act.

§ 3. It shall be unlawful for any incorporated bank, banking association or trust company, to receive, in payment of any capital stock subscribed for, anything except lawful money.

§ 4. That all banks, banking associations and trust companies chartered under the laws of this State are hereby required to make a true statement of their condition, and publish the same once every six months in some newspaper circulated in the vicinity of the bank, and said statement shall be sworn to by the cashier or president of said bank, banking association or trust company.

§ 5. If the officers of any bank or banking association or company shall willfully or intentionally refuse or fail to comply with the provisions or requirements of this act, or shall willfully or intentionally make any false or untrue statement in regard to its business affairs or condition, for the purpose of deceiving any officers of said bank, banking association or trust company, or any person interested in the conduct and management of said bank, either as depositor, stockholder or patron thereof, he shall, upon indictment and conviction, be fined in any sum not exceeding one thousand dollars.

§ 6. That the provisions of this act shall apply to all charters of banks, banking associations or trust companies, passed at the present session, or that may be hereafter passed by the General Assembly of Kentucky, unless, by special and direct words in said charter, it is provided that it shall not apply, and all laws, general, local, special, or private, in conflict herewith are hereby repealed.

§ 7. This act shall take effect and be in force from and after its passage.

Mr. Breckinridge moved that the further consideration of said bill be postponed until the consideration of a bill, entitled
An act to call a Convention,
Was disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Wright proposed the following amendment to the bill as amended by the substitute proposed by the committee, viz:

Amend by adding the word "State," in the second line of the fourth section, "And all private bankers or private banking associations or companies."

Mr. Hendrick moved to amend said bill, as amended by said substitute, by striking out "\$50,000" wherever it occurs, and insert in lieu thereof "\$25,000."

Mr. Lindsay proposed the following amendment to said bill, as amended by said substitute, viz :

Amend section 2 by adding the words, "*And provided, further,* In case any bank, banking association or trust company, doing business at the date of the passage of this act, shall fail to comply with the provisions of this section within the time prescribed, such bank, banking association or trust company shall not declare or distribute to its stockholders, in the way of dividends or otherwise, any portion of its accruing profits, until the accumulations thereof, when added to the amount paid up in money upon stock subscriptions, shall equal per centum of its capital stock, and such paid-up stock and accumulated profits must, in any event, equal twenty-five thousand dollars. And when such accumulations shall equal the amount provided for by this section, the same shall be converted into paid-up stock, and distributed to the stockholders in the way of a stock dividend."

Mr. Darby proposed the following amendment to said bill, as amended by said substitute, viz :

1. Amend by striking out the word "organization," where same occurs in line 12, section 1, and insert in lieu thereof the words "Commencement of business."

2. Insert after the word "transacted," in line seventeen, section 1, the following words: "In book kept for the recording of articles of incorporation."

3. Strike out section 6, and insert in lieu thereof the following: "All acts and parts of acts inconsistent with this act are hereby modified and repealed to the extent of such inconsistency."

4. Insert after section 3 the following as an additional section: "The board of directors of such banks and trust companies shall, at each meeting at which a dividend is declared, set aside at least ten per cent. of the net profits as a surplus fund, and shall continue so to do until such fund shall at least equal ten per cent. of the capital stock. In case such surplus fund shall, by loss or otherwise, be reduced below the amount named, same shall, in manner aforesaid, be made up and maintained to at least said minimum."

Mr. Hendrick moved to lay said bill and pending amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kemp and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
W. F. Berry,	D. L. May,	Phil Roberts,
T. L. Glenn,	John McCann,	A. H. Stewart,
R. G. Hays,	J. J. Paul,	G. Terry,
J. B. Hannah,	A. L. Peterman,	J. S. Wortham—16.
John K. Hendrick,		

Those who voted in the negative, were—

Ben F. Bradley,	Sam E. English,	J. W. Martin,
R. J. Breckinridge,	William Goebel,	B. F. Reynolds,
Reuben Conner,	J. P. Huff,	D. H. Smith,
F. W. Darby,	William Lindsay,	D. W. Wright—14.
W. W. Dickerson,	J. H. Lunsford,	

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to call a Convention.

(For bill, see Senate Journal, March 1.)

(For substitute of Mr. Smith, which was heretofore adopted, see Senate Journal of March 1.)

The amendment heretofore offered by Mr. Berry to the bill, as amended by Mr. Smith's substitute, is as follows, viz :

Amend first section by striking out "first of September," where it appears in said section, and insert in lieu thereof the "first Monday of October."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Lindsay had heretofore offered the following amendment to the bill, as amended by said substitute, viz :

Amend section 1 by striking out "first Monday" and insert "second Monday."

Mr. Smith moved to reconsider the vote by which the Senate adopted the amendment offered by Mr. Berry to the bill, as amended by Mr. Smith's substitute,

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the amendment offered by Mr. Lindsay to the bill, as amended by Mr. Smith's substitute, and it was decided in the affirmative.

Mr. Lindsay also proposed the following amendment to said bill, as amended by Mr. Smith's substitute, viz :

Amend by striking out section ten and inserting: "The constitution agreed upon and adopted by the convention shall not become effectual as such, or supercede the present Constitution, in whole or in part, unless and until submitted to the people, and ratified and approved by a majority of all the legal voters in the State; and for the purpose of ascertaining whether such votes as may be cast in favor of its ratification and approval equal such majority, the enumeration of the qualified voters made under existing laws, commencing September 15, 1890, shall be taken to show the whole number of legal voters within the State."

Mr. Darby proposed the following amendment as a substitute for the said amendment proposed by Mr. Lindsay to the bill, as amended by Mr. Smith's substitute, viz :

That before any revised or amended Constitution, or any part thereof, agreed upon by the convention, shall become operative, same shall be submitted to the qualified voters of this Commonwealth for their adoption or rejection. The proposed revised or amended Constitution to be so submitted as a whole, or specific parts thereof to be submitted separately, as the convention may order. The election for such adoption or rejection shall be held, the polls compared, the vote counted, the result certified, and record made and preserved by the same county and State officers, and in same manner as provided by law in case of elections for Governor. As early as practicable after adjournment of the convention, the Secretary of State shall cause to be printed, and through the sheriffs, distributed throughout the State, copies of the proposed revised or amended Constitution, together with any order of the convention in regard to the submission of same, and of any specified parts thereof, if any, for adoption or rejection; and shall furnish the sheriffs with printed notices of such election, copies of which notice the several sheriffs shall, at least thirty days before the election, post at three or more public places in each voting precinct, the place of voting being one. The convention will fix the date of such elec-

tion, and prescribe the form of question or questions to be submitted to voters. _____ days after the election, the Governor shall issue a proclamation declaring the result of same, and if a majority of the votes cast at such election shall be in favor of the proposed revised or amended Constitution, or of any specific part or parts so separately submitted, if any, then such proposed revised or amended Constitution, and such specific part or parts, in favor of which a majority of votes shall have been so cast, shall, from the date of such proclamation, be the Constitution of this Commonwealth: *Provided*, The convention may direct that any specific part, so separately submitted, shall not be in force, though a majority of votes so cast shall be in its favor, unless a majority of said votes, shall be in favor of other specific part or parts.

Mr. Smith moved that the session of the Senate be extended until the bill under consideration was disposed of,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	B. F. Reynolds,
W. F. Berry,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	William Lindsay,	A. H. Stewart,
B. F. Cockrell,	J. W. Martin,	G. Terry,
Reuben Conner,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	J. M. Pieratt,	D. W. Wright—19.
William Goebel,		

Those who voted in the negative, were—

Ben F. Bradley,	J. P. Huff,	J. J. Paul,
W. W. Dickerson,	J. H. Lunsford,	A. L. Peterman,
R. G. Hays,	D. L. May,	Phil Roberts—10.
John K. Hendrick,		

Pending the further consideration of said bill,

Mr. Smith moved that the Senate do now adjourn,

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

WEDNESDAY, MARCH 12, 1890.

The reading of the Journal of yesterday was dispensed with.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of the sureties of J. C. Holloway, late sheriff of Lyon county ;

An act to repeal an act, entitled "An act for the benefit of the tax-payers of Lyon county," approved February 6, 1878, and also to repeal an act amendatory thereof, approved April 2, 1880,

Reported the same, without amendment.

On motion of Mr. Hendrick—

Ordered, That said bills be recommitted to the Committee on Claims.

Mr. Hays moved to reconsider the vote by which the Senate had made the special order of the day for Thursday, March 13, 1890, at 11 o'clock A. M., a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms, and persons engaged in mining or manufacturing in this State, to pay their employes, semi-monthly, in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

And the question being taken thereon, it was decided in the affirmative, by the casting vote of the Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. McCann and English, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	F. W. Darby,	J. M. Pieratt,
Ben F. Bradley,	R. G. Hays,	J. H. Shearer,
R. J. Breckinridge,	J. B. Hannah,	D. H. Smith,
B. F. Cockrell,	J. H. Lunsford,	D. W. Wright—14.
Reuben Conner,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	Chas. Patteson,
Sam E. English,	John R. Kemp,	J. J. Paul,
T. L. Glenn,	J. W. Martin,	B. F. Reynolds,
William Goebel,	J. W. McCain,	J. S. Wortham—14.
John K. Hendrick,	John McCann,	

Mr. Lunsford moved that said bill be recommitted to the Committee on the Judiciary.

Mr. McCann moved that said bill be recommitted to the Committee on Propositions and Grievances.

Mr. Smith proposed an amendment as a substitute for the pending motions that said bill be recommitted to the Committee on General Statutes,

And the question being taken on the adoption of the substitute proposed by Mr. Smith, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and English, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	James H. Mulligan,
Ben F. Bradley,	R. G. Hays,	J. W. McCain,
R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	John K. Hendrick,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	D. H. Smith—17.
G. W. Gates,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	G. Terry,
Sam E. English,	J. W. Martin,	J. S. Wortham,
T. L. Glenn,	J. M. Pieratt,	D. W. Wright—11.
J. P. Huff,	J. H. Shearer,	

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Fire Insurance Company.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Common School District No. 37, Butler county.

By same—

An act to establish Common School District No. 23, Metcalfe county.

By same—

An act to incorporate the Flemingsburg Graded High School.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker of the Senate announced the appointment of Messrs. Hendrick, Gates, Wright, May, English, Dickerson, Lindsay, Anderson, Reynolds, Hannah and Paul a special committee on the part of the Senate from the eleven Congressional Districts, respectively, in pursuance of a joint resolution, directing the appointment of a joint committee to consider the propriety of re-districting the State into Congressional Districts.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to extend the limits of the town of Winchester.

By Mr. Peterman, from the Committee on Education—

An act to incorporate the Hamilton College Library Association.

By same—

An act for the benefit of Common School District No. 1, in Grayson county.

By same—

An act for the benefit of School District No. 4, in Greenup county.

By same—

An act to organize and establish a system of public schools in Slaughtersville, Webster county, for white children.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to punish certain trespasses in the counties of Bracken, Mason, Harrison, Grant and Scott.

By Mr. Peterman, from the Committee on Education—

An act to amend the charter of Bethel College, of Russellville.

With amendments to the two last-named bills,

Which were adopted.

Ordered, That said bills, the two last, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled “An act to amend the revenue laws of the Commonwealth of Kentucky,” approved May 17, 1886;

An act to amend the charter of the Odd Fellows’ Orphanage;

An act to incorporate the North Kentucky Summer Institute, at Cynthiana;

An act to incorporate the Kentucky Drilling Company;

An act to incorporate the Beattyville Street Railway Company;

An act to amend an act, entitled “An act to incorporate the Lincoln County Building and Savings Association;”

An act to incorporate the Jackson Building and Loan Association;

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to amend and reduce into one the several acts in relation to the town of Danville,’ ” approved March 10, 1873, which act was approved February 18, 1890;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signa-

ture thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration the unfinished special order of yesterday, being a bill, which originated in the Senate, entitled, viz :

An act to call a Convention.

(For bill, see Senate Journal March 1st.)

(For substitute of Mr. Smith, adopted for the bill, see Journal of yesterday.)

The question being upon the adoption of the amendment proposed on yesterday by Mr. Darby to the amendment offered by Mr. Lindsay to the bill as amended by the substitute of Mr. Smith.

By unanimous consent, Mr. Darby withdrew said amendment from the further consideration of the Senate.

Mr. Breckinridge proposed to amend the bill, as amended by the substitute of Mr. Smith, by striking out the 10th section thereof.

The question being upon the adoption of the second amendment heretofore proposed by Mr. Lindsay to the bill as amended by the substitute of Mr. Smith.

(For which amendment, see Journal of yesterday.)

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hendrick and Anderson, were as follows, viz :

Those who voted in the affirmative, were—

Sam E. English,	D. L. May,	Jno. P. Newman,
J. B. Hannah,	James H. Mulligan,	J. M. Pieratt,
William Lindsay,	John McCann,	D. W. Wright—10.
J. H. Lunsford,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	Chas. Patteson,
W. F. Berry,	William Goebel,	J. J. Paul,
Ben F. Bradley,	R. G. Hays,	A. L. Peterman,
R. J. Breckinridge,	John K. Hendrick,	B. F. Reynolds,
B. F. Cockrell,	J. P. Huff,	J. H. Shearer,
Reuben Conner,	John R. Kemp,	D. H. Smith,
F. W. Darby,	J. W. Martin,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham—24.

The question then being upon the adoption of the amendment proposed by Mr. Breckinridge to the bill, as amended by the substitute of Mr. Smith.

By unanimous consent, Mr. Breckinridge withdrew said amendment from the further consideration of the Senate.

Mr. Lindsay moved to amend said bill, as amended by the substitute of Mr. Smith, by striking out of the fourth line of section 10, immediately after the word "least," the word "twenty," and insert in lieu thereof the word "ninety."

Mr. Anderson moved to amend by striking out the said word "twenty" in said section, and insert in lieu thereof the word "sixty."

And the question being taken on the adoption of the amendment proposed by Mr. Lindsay, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a convention be, and the same is hereby, called for the purpose of re-adopting, amending or changing the Constitution of this State, to be held in the city of Frankfort, the capital of the State, commencing on the second Monday in September, 1890, and continuing from day to day till the business thereof be completed, with power to adjourn and re-assemble at such times as it may deem proper. Said convention shall consist of as many members as there are of the House of Representatives, and no more, who shall have the qualifications of an elector for Representative. Said members shall be apportioned among the several counties of the State, in the same manner and proportion that Representatives now are by the law as it now exists.

§ 2. That it shall be the duty of the sheriff and other returning officers, at the election to be held on the first Monday in

August, 1890, to open a poll at their several places of voting, for delegate to said convention, and all citizens entitled to vote for Representative shall have the right to vote for delegate.

§ 3. That the sheriffs, judges and clerks of the county courts of the several counties shall, upon comparison and count of the votes, within ten days after the election of delegates to said convention, deliver to each person, who shall have been elected a delegate, a certificate of his election as such, and they shall, within twenty days after said election, transmit a copy thereof to the Secretary of State, which certificate shall be in the following form, viz: "Be it known to all to whom these presents shall come, that we, _____, sheriff, and _____, judge of the county court, and _____, clerk of the county court of _____ county, by an election held on the first Monday in August, 1890, by the electors of said county, qualified according to law, caused to be chosen _____ for said county, to represent the same in the convention to be held in the city of Frankfort on the second Monday in September, 1890, for the purpose of re-adopting, amending or changing the Constitution of this State. Given under our hands this, the _____ day of _____, 1890." *Provided*, That in case of the resignation, inability to serve or death of any member who may be elected a delegate to said convention, the Governor shall, upon information, issue a writ of election to the sheriff of the county where said vacancy may occur, directing and authorizing him to hold an election in ten days after the receipt of said writ, to fill any vacancy so occurring.

§ 4. That the president of said convention shall receive, as compensation for his services, the same allowance *per diem* and mileage as is now allowed by law to the Speaker of the House of Representatives, and each delegate thereof shall receive the same allowance *per diem* and mileage now allowed by law to Representatives, and the other proper officers of said convention shall receive the same allowance as is now allowed by law to similar officers performing similar duties for the House of Representatives, and all of said compensation is hereby directed and authorized to be paid by the State Treasurer upon the warrants of the Auditor.

§ 5. That the sheriff and other officers of the election shall be liable to all such fines and penalties for failing to discharge the several duties imposed by this act as are now imposed upon them by law for a failure to perform their duty in conducting other general elections, and all persons who shall be found guilty of casting illegal votes for delegates shall be liable, upon conviction, to all the fines and penalties now provided by law for illegal voting.

§ 6. That when two or more counties vote together in the election of a delegate, the sheriffs of said counties, after the votes of each county shall have been compared and counted in the manner, and by the officers hereinbefore provided for, shall meet

at the court-house of the county polling the largest number of votes, within ten days after said comparison and counting in each county, and said sheriffs shall then compare the returns from said counties, and shall jointly give the certificate hereinbefore described to the delegate elected.

§ 7. The said sheriffs, county judges and county clerks, shall be governed by the said laws now in force regarding the comparison of the polls for Representatives.

§ 8. The said convention, when assembled, shall have authority to cause to be printed, at the cost of the State, all such of its debates and proceedings as it may deem proper, and it shall be the duty of the State Librarian to furnish a hall for the meeting of said convention, and all such committee rooms as the business of the convention may require, and each member of said convention shall be allowed the sum of twenty-five dollars for stationery, to be paid as herein provided for as to other allowances for them.

§ 9. In case the right to a seat in said convention by any delegate who holds a certificate of election is contested, said convention shall decide such contest, and testimony shall be taken in the same manner, and the same proceedings had, as in case of a contest as to the seat of a Representative; and, in case of a tie, the Governor shall issue a writ of election as provided for herein, in case of a vacancy.

§ 10. That before any Constitution agreed upon by said convention shall take effect or become operative, the same shall be submitted to the qualified voters of this Commonwealth, after at least ninety days' notice, and ratified by a majority of those voting.

§ 11. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John P. Newman,
W. F. Berry,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	James H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham,
William Goebel,	John McCann,	D. W. Wright—34.
R. G. Hays,		

In the negative—none.

On motion of Mr. Smith—

Resolved, That the title of said bill be as follows, viz:

An act to call a convention for the purpose of re-adopting, amending or changing the Constitution.

The Senate, according to order, took up for consideration the bill introduced by Mr. Anderson, being Senate bill No. 195, entitled

An act to call a convention for the purpose of re-adopting, amending or changing the Constitution.

Mr. Anderson moved that the further consideration of said bill be indefinitely postponed, a copy thereof having been adopted as a substitute for Senate bill No. 120, entitled

An act to call a convention.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Huff—

1. A bill for the benefit of A. J. McKenzie, late sheriff of Rowan county.

On motion of same—

2. A bill authorizing and directing the Secretary of State to furnish the county of Rowan with two sets of Reports of the Court of Appeals for use in the county and circuit court clerks offices in said county.

On motion of Mr. Kemp—

3. A bill to amend section 11, article 1, chapter 52, General Statutes.

On motion of Mr. Smith—

4. A bill to incorporate the People's Banking and Trust Company.

On motion of Mr. McCann—

5. A bill for the benefit of the city of Louisville.

On motion of same—

6. A bill to amend the charter of the city of Louisville.

On motion of same—

7. A bill to amend the charter of the city of Louisville in regard to the salary of the assessor of the city of Louisville.

On motion of same—

8. A bill to amend the charter of the city of Louisville in regard to the salary of the auditor of the city of Louisville.

On motion of same—

9. A bill to amend the charter of the city of Louisville in regard to the salary of the treasurer of the city of Louisville.

On motion of Mr. McCain—

10. A bill to amend section 11, article 3, chapter 27, General Statutes.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 3d, 5th and 10th; the Committee on Claims the 2d; the Committee on Banks and Insurance the 4th, and the Committee on Courts of Justice the 6th, 7th, 8th and 9th.

Mr. Huff moved the following resolution, viz:

WHEREAS, The Great Creator of the Universe, for unknown and mysterious reasons to us, has, in His infinite wisdom, called from earth Hon. W. P. Taulbee, in the prime of his manhood, to appear in the world beyond, whose untimely death occurred at the National Capitol on the 11th day of March, 1890; therefore, be it

Resolved, That in his death the State of Kentucky has lost a distinguished and upright citizen, and a true and public servant.

That in his death the great loss to the State and the whole nation of so useful and beloved citizen and statesman can not be measured by words. We, therefore, leave the impartial and unprejudiced judgment of his history to justly give him a place among the actors of the nation and State, as his talents and manly qualities and public service entitles him.

Having no doubt whatever that posterity will accord to him the many virtues we know him entitled, we can only express to the people our profound sympathy for the loss we have all sustained, and to his family our deepest sympathy for their great bereavement.

That these resolutions be spread upon the Journals of the Senate, and a copy thereof be forwarded to the family of the deceased.

Which was twice read and adopted.

And then, in pursuance thereto, the Senate adjourned.

THURSDAY, MARCH 13, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to reduce into one all the acts in relation to the town of Stanford."

An act to amend an act, entitled "An act to allow the citizens of Henry county to vote a tax in aid of turnpike road companies, and to require the commissioners to make annual reports to the county judge, etc., in Districts Nos. 2 and 3, and prescribe penalties for failure."

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine & Beattyville Railroad Company."

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.

An act for the benefit of W. J. Hook, sheriff of Bracken county.

An act to create the office of stenographer of the Seventeenth Judicial District.

An act to incorporate the Pinnacle Inclined Railway Company, of Middlesborough.

An act for the benefit of the unmarried women in this Commonwealth.

An act to authorize the town of Beattyville, in Lee county, to issue bonds to pay off its present floating indebtedness, to improve its streets, alleys and sidewalks, and to build bridges.

An act to legalize an order of the Larue County Court of Claims.

An act to amend an act, entitled "An act to incorporate the Paducah, Hickman & Southern Railroad Company."

An act to incorporate the Calloway County Agricultural Association.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter, and amendments, thereto of the town of Winchester," approved February 2, 1882.

An act to incorporate the Central Contract Company.

An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, Henderson county, changing the boundary thereof, and adding same to other districts."

An act to amend an act, entitled "An act to authorize the Carroll County Court to take stock in turnpike roads in said county, and the amendments thereto."

An act to incorporate the town of Burnside, Pulaski county, Kentucky.

An act to amend an act, entitled "An act to provide a security for manufacturers and vendors of railroad equipment and rolling stock, in making conditional sales thereof."

An act to amend an act, entitled "An act to prevent extortion and discrimination in the transportation of freight and passengers by railroad corporations, and, in aid of that purpose, to establish a Board of Railroad Commissioners, and define its powers and duties."

An act for the benefit of Common School District No. 21, Lincoln county.

An act for the benefit of Common School Districts Nos. 49 and 60, Lincoln county.

Resolution raising a joint committee to examine the books, affairs, etc., of the A. & M. College.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Henderson Trust Company," approved March 13, 1886.

An act to amend an act, entitled "An act to amend article 1, chapter 55, of the General Statutes, title "Division Fences," approved May 17, 1886.

An act to incorporate the Citizens' Bank of Princeton.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Charles W. Howe.

An act to declare Rock Lick creek, in Breckinridge county, a navigable stream.

An act to prohibit the running at large of stock in certain parts of Livingston county.

An act prohibiting any person from riding or driving on any sidewalk within one-half mile of Owensboro, on Frederica street, extended, known as the Livermore road.

An act for the benefit of Pewee Valley Hotel Company.

An act for the benefit of Monroe county.

An act to amend an act, entitled "An act to amend and reenact an act to incorporate the Paducah, Benton & Murray Gravel Road Company, and charter the Paducah & Clarke's River Gravel Road Company."

With amendments to the three last-named bills.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to amend the charter of the city of Augusta, Kentucky," approved February 18, 1890.

2. An act for the benefit of A. Meahl, of Henderson county.

3. An act to amend an act, entitled "An act relating to branding logs on Kentucky and Cumberland rivers," approved May 15, 1886.

4. An act to establish the boundary line between the counties of Bourbon and Harrison.

5. An act authorizing the sale of the old court-house and grounds in Knott county.

6. An act for the benefit of W. S. Stone, of Daviess county.

7. An act to authorize the United Baptist Church, at Morganfield, Kentucky, to sell their church lot and re invest the proceeds of same.

8. An act to change the boundary line between the counties of Whitley and Knox counties.

9. An act to establish a new voting place in Muhlenberg county, Kentucky.

10. An act to declare Island creek, in Pike county, a navigable stream.

11. An act to change the dividing line between the counties of Lewis and Mason.

12. An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky.

13. An act to prohibit hunting with guns upon inclosed lands in Barren county.

14. An act to declare Boone Fork of Frozen creek, in Breathitt county, a navigable stream.

15. An act to declare the Rock House Fork of Rock Castle creek, in Martin county, a navigable stream.

16. An act for the benefit of Henry Mallory, William Smith and Jas. Martin, of Henry county.

17. An act changing the boundary line between Justices' Districts Nos. 2 and 3, of Meade county, and to change the voting place in District No. 2, from Meadeville to Gaston.

18. An act to prevent bulls and boars from running at large.

19. An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of, and to reduce into one, the several acts relating to the town of Eddyville, in Lyon county, chapter 221, Acts General Assembly.'"

20. An act to amend an act, entitled "An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties."

21. An act to change the boundary line of Laurel and Clay counties.

22. An act to prohibit hunting with guns or shooting upon inclosed lands in the South Covington District, in Kenton county.

23. An act to amend the charter of the Kentucky and Indiana Bridge Company.

24. An act to amend the charter of the city of Covington.

25. An act to amend the charter of the city of Covington.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 3d, 5th, 8th, 9th, 10th, 11th, 13th, 14th, 15th, 17th, 18th, 20th, 21st and 22d to the Committee on Propositions and Grievances; the 2d and 6th to the Committee on Claims; the 7th to the Committee on Religion and Morals; the 12th and 19th to the Committee on the Judiciary

the 4th to the Committee on Agriculture and Manufactures; the 23d and 25th to the Committee on General Statutes, and the 24th to the Committee on Courts of Justice.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act, entitled “An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth,” approved May 26, 1874, so far as it applies to Wayne county.

By Mr. Terry, from the Committee on Finance—

An act to authorize the Morgan County Court to appropriate money in the hands of W. A. Maxey, receiver of the Morgan County Court, raised under an act approved April 5, 1880, to the building of a jail for Morgan county.

By Mr. Goebel, from the Committee on General Statutes—

An act to amend an act, entitled “An act incorporating the Covington and Cincinnati Bridge Company,” approved February 10, 1846.

By Mr. Anderson, from the same committee—

An act for the benefit of John Owens, of color.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Winchester Street Railway Company.

By Mr. Breckinridge, from the same committee—

An act to incorporate the Danville, Lancaster & Pound Gap Railroad Company.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to authorize Boyle County Court to levy a tax.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Goebel, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 16, article 4, of chapter 52, of the General Statutes, title "Husband and Wife,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 16, of article 4, of chapter 52, of the General Statutes, title "Husband and Wife," be amended so as to add thereto the following words, viz: "And they may become members of any building or loan association or company, or like institution, and shall have power to become owners of stock therein by subscription or purchase, and to receive, hold, sell, transfer or assign said stock, and to receive and receipt for all dividends, moneys or other things or interest therein, and to do any and all things in relation to said membership that any unmarried adult member might do, and their acts, receipts, transfers and rules shall be as binding and valid as if they were unmarried and of lawful age.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goebel, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 18, of chapter 31, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 18, of chapter 31, of the General Statutes, be, and the same is hereby amended, so as to read : "Said court shall have authority to give the petitioner the parental control of such adopted person, if an infant, but not without the consent of the parents or parent, if both or either be living ; and said petitioner shall be under the same responsibilities as if the person so adopted were his own child."

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act for the benefit of commissioners and receivers,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky : § 1. That where any commissioner or receiver of said Commonwealth has loaned, or may loan, any money to any person or persons who has died, or may hereafter die, or who has made, or may hereafter make, a deed of trust, such commissioner or receiver may make and file a claim on any person, and file same with the trustee, commissioner, administrator or executor having the estate of the persons named in charge, and may collect the same.

§ 2. This act takes effect on its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 1, article 4, of chapter 5, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1, of article 4, of chapter 5, of the General Statutes, be, and the same is hereby, amended by adding thereto the following words, to-wit: "He shall also attend to all civil cases and proceedings in the circuit courts of his district, in which the Commonwealth is interested: *Provided*, That the Commonwealth's Attorney for the district in which Franklin county is now, or may hereafter be located, shall not discharge such duties for the Commonwealth in civil cases and proceedings in the Franklin Circuit Court."

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 2, article 5, of chapter 5, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 5, of chapter 5, of the General Statutes, be amended by striking therefrom, immediately after

the words "United States," in the fourth line of said section, the following words: "For the district of Kentucky."

§ 2. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 8, of article 2, of chapter 44, of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 8, of article 2, of chapter 44, of the General Statutes, be amended by adding thereto these words: "The provisions of this section shall apply to assignments made by debtors for the pro rata payment of debts generally, as well as to trusts created by the statute against preferences and fraudulent conveyances."

§ 2. That this act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, to amend article 1, chapter 55, of the General Statutes, title "Division Fences," approved May 17, 1886 ;

An act to incorporate the Citizens' Bank of Princeton ;

An act to amend an act, entitled "An act to incorporate the Henderson Belt Railroad Company," approved April 13, 1888;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to repeal an act, entitled "An act to prevent the drifting and floating of saw logs down the Licking river below Salsersville," approved May 7, 1886 ;

An act to declare Horse Fork creek a navigable stream ;
And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Breckinridge moved that the session of the Senate be extended until the call of the committees should be completed.

And the question being taken thereon, it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Terry, from the Committee on General Statutes—

An act to amend section 4, article 6, of chapter 92, of the General Statutes.

By Mr. Wright, from the same committee—

An act to amend an act incorporating the town of Pleasureville, in Henry county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

By Mr. Goebel, from the same committee—

An act to amend the charter of the city of Covington.

By Mr. Peterman, from the Committee on Education—

An act to incorporate the Norton University.

With amendments to the four last-named bills.

Which were adopted.

Ordered, That said bills, the four last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Peterman, from the Committee on Education, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Central Law School,
Reported the same, without amendment.

On motion of Mr. Peterman—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend chapter 29, General Statutes, entitled
“Crimes and Punishments,”

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Kentucky Detective and Information Agency,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled “An act regulating the exemptions of personal property from execution, attachment, distress for rent and fee-bills in this Commonwealth,” approved May 17, 1886,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Berry—

Ordered, That said bill be recommitted to the Committee on General Statutes, with leave to report at any time.

Mr. McCain, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 49, chapter 39, General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Peterman was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House, entitled

An act for the benefit of School District No. 33, in the county of Campbell.

The Speaker announced the appointment of Messrs. Breckinridge, Reynolds and Huff a special committee on the part of the Senate, in pursuance of a joint resolution authorizing the appointment of a special committee to investigate the affairs of the Agricultural and Mechanical College.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Huff—

1. A bill to promote the study of medicine and surgery in the Commonwealth of Kentucky.

On motion of Mr. Anderson—

2. A bill, entitled "An act to amend section 9, article 25, chapter 29, of the General Statutes."

On motion of Mr. Paul—

3. A bill, entitled “An act to allow the Auditor of Public Accounts \$2,700 per annum as an additional appropriation for clerk hire.”

On motion of Mr. Bradley—

4. A bill to amend an act, entitled “An act to incorporate the Georgetown Street Railway Company,” approved May 1, 1888.

On motion of same—

5. A bill in relation to the management of trains where railways cross each other.

On motion of Mr. Gates—

6. A bill to amend the charter of the Owensboro Safety Trust and Vault Company.

On motion of Mr. Patteson—

7. A bill, entitled “An act to amend section 8, article 4, chapter 12, of the General Statutes.”

On motion of Mr. Glenn—

8. A bill, entitled “An act to amend an act, entitled ‘An act to incorporate the Wickliffe, Cairo and Birds’ Point Ferry Company,’ ” approved March 27, 1888.

On motion of Mr. Lindsay—

9. A bill in relation to Bath county subscriptions to the Kentucky Midland Railway Company.

On motion of same—

10. A bill to incorporate the Inter-state Guarantee and Trust Company.

On motion of Mr. Mulligan—

11. A bill to require the Kentucky Central Railway Company and its assigns to provide and keep a watchman stationed at the point where its railroad crosses the Lexington & Cynthiana Turnpike; near the city of Lexington, in Fayette county.

Ordered, That the Committee on Public Health prepare and bring in the 1st; the Committee on General Statutes the 2d and 7th; the Committee on Claims the 3d; the Committee on Railroads the 4th, 5th, 9th and 11th; the Committee on Banks and Insurance the 6th and 10th, and the Committee on Agriculture and Manufactures the 8th.

Mr. Newman asked the appointment of a committee on the part of the Senate, to act in conjunction with a similar com-

mittee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Newport Electric Car Company, Newport, Kentucky,

Which was granted.

Whereupon the Speaker appointed Mr. Newman said committee on the part of the Senate.

After a short time, Mr. Newman, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Newman moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Newman proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman, from the Committee on Education, to whom was recommitted a bill, which originated in the Senate, entitled

An act to cheapen and regulate the prices of text-books used in the common schools of this Commonwealth,

Reported the same, without amendment.

Mr. Kemp moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday next, March 20th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

WHEREAS, In many parts of the State, text-books used in the common schools are sold at unreasonable prices, thereby interfering with the successful working of the common school system; and, whereas, the people demand protection against the unreasonable prices placed upon text-books; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That after the first day of June, 1890, all text-books upon the subjects embraced in the common school course of study, recommended by the State Board of Education for adoption and use in the common schools of this Commonwealth, shall be sold to all patrons and pupils of said common schools at a special retail price, not to exceed the present published wholesale price fixed by the publishers of said text-books; and this special price shall be known as the Kentucky retail price.

§ 2. In order that the said text-books may be sold at retail at the said price, the State Board of Education shall, as soon as practicable after the passage of this act, enter into contract with the several publishers whose text-books are now recommended by the said State Board of Education for adoption and use in the common schools, by which contract the said publishers shall agree to furnish, for a period of eight years, in all counties wherein their text-books are or may be hereafter adopted for use in the common schools, to any merchant or dealer who may desire to purchase for the purpose of selling to patrons and pupils of the said common schools their said described text-books for cash, or its equivalent, at a discount not less than sixteen and two thirds per cent. from the said Kentucky retail price, or from any reduced wholesale price which may be hereafter established by the said publishers, and this net price shall be known as the Kentucky contract price: *Provided*, That the Kentucky contract price of such books shall not exceed the lowest wholesale price charged by the said publishers to any other State, firm or person. The said publishers shall agree in the said contract to send by mail or express, prepaid, to all trustees and teachers, patrons and pupils of the common schools, copies of the said text-books, at a price in cash not exceeding the Kentucky retail price of said text-books. The said publishers shall also agree to give to the State of Kentucky the benefit of any revision, new edition, or other improvement which may be made in any or all text-books furnished under the provisions of this act, without any increase in the price of said text-books. The State Board of Education may, at its option, accept or reject such revision, new edition, or other improvement. The said publishers shall further agree to furnish the said merchants and dealers the said text-books in adequate quantities for the supply of the common schools, and that the said text-books shall be equal in paper, typography and binding to samples contracted for, copies of which shall be deposited in the office of the Superintendent of Public

Instruction. Hereafter, at the time of recommending any other text-book or text-books for adoption and use in the common schools, the State Board of Education shall enter into a similar contract with the publisher or publishers thereof.

§ 3. Each publisher or the publishers of a text-book or text-books, recommended by the State Board of Education for adoption and use in the common schools, shall, on or before the first day of June, 1890, and the publishers of all text-books hereafter so recommended, shall, at the time of such recommendation, execute and file, with the Superintendent of Public Instruction, a bond in the penalty of ten thousand dollars (\$10,000), payable to the State of Kentucky, conditioned upon the faithful performance of the contract and agreement made in pursuance of this act. Upon a breach of any of the conditions of such bond, the Superintendent of Public Instruction shall, in the name of the State, institute suit thereon to recover the same. All moneys so recovered, after the payment of the cost of proceedings, shall be paid into the common school fund, and be distributed as a part thereof, as provided by law.

§ 4. If the publisher or publishers of any text-book or text-books recommended by the State Board of Education for adoption and use in the common schools, shall fail or refuse, by the first day of June, 1890, to enter into contract to furnish the said text-book or text-books for a period of eight years, upon the terms and conditions of this act, or shall fail or refuse to execute and file the bond required by section 3 of this act, it shall be the duty of the State Board of Education to remove all the text-books of such publisher or publishers, from the list of text-books recommended for adoption and use in the common schools, to make such provision, as in the judgment of the said board, would be best adapted to the end in view, and to enter into contract accordingly.

§ 5. The State Board of Education shall, in all contracts with publishers, require the said publishers to publish for the information of county superintendents, and for general circulation, the full schedule of prices, specifying the Kentucky retail price of each book to patrons and pupils, and the Kentucky contract price of each book to merchants and dealers. Each county superintendent shall cause to be posted in every common school-house of his county, and in every place where such books are sold, a schedule of the Kentucky retail price of each text-book adopted for use in his county. All publishers furnishing text-books under this act, shall print in letters and figures, on the outside of the cover of each book, the Kentucky retail price thereof.

§ 6. Any merchant or dealer engaged in the sale, at retail, of any text-book which shall have been contracted for under the provisions of this act, who shall, after the fifteenth day of June, 1890, charge and receive for any such text-book from any patron or pupil of any common school, a sum greater than the

Kentucky retail price of such text-book, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five dollars and not more than twenty dollars for each offense. Any teacher of a common school who shall displace from such school any text-book which has been contracted for under the provisions of this act, and which has been adopted for use in the county wherein said school is taught, and shall use instead of such text-book any other text-book not so contracted for, or not so adopted, shall be guilty of a misdemeanor, and, upon conviction thereof, shall forfeit his or her certificate, and, for each offense, shall be fined not less than five dollars and not more than twenty dollars. It shall be the duty of the county superintendent of common schools of each county to report all violations of this act, by dealers and teachers to the county attorney, who shall prosecute such dealers and teachers in any court of competent jurisdiction in the county in which any such violation shall occur.

§ 7. All laws and parts of laws in conflict with any of the provisions of this act are hereby repealed.

§ 8. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	J. J. Paul,
B. F. Cockrell,	William Lindsay,	A. L. Peterman
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	Phil Roberts,
Sam E. English,	D. L. May,	J. H. Shearer,
T. L. Glenn,	James H. Mulligan,	D. H. Smith,
R. G. Hays,	J. W. McCain,	J. S. Wortham,
J. B. Hannah,	John McCann,	D. W. Wright—30.

Those who voted in the negative, were—

W. F. Berry,	J. M. Pieratt—2.
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Resolved, That the title of said bill be as aforesaid.

Mr. Kemp moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

A message was received from the Governor by Mr. W. R.

Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to prevent certain domestic animals from running at large in certain counties in this Commonwealth," approved May 3, 1888.

An act to amend article 4, chapter 92, of the General Statutes, entitled "Revenue and Taxation."

An act to amend an act incorporating the Daviess County Fair Company.

An act to amend the charter of the Mechanics' Savings Bank and Trust Company, approved May 3, 1888.

An act to prevent the obstruction of Licking river.

An act for the benefit of G. H. Gardner, late sheriff of Grayson county.

Resolution directing the return to Governor Senate bill 116, entitled "An act to repeal an act to prevent the drifting of saw-logs below Salyersville, on the Licking river."

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 13, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Peter Brashear, Daviess county.
Chas. H. Drury, Breckinridge county.
Mamie S. Farquar, Jefferson county.
Thomas J. Graves, Washington county.
Nat W. Halstead, Nelson county.
R. A. Jones, Jefferson county.
D. B. Logan, Rowan county.
D. S. McMillen, Monroe county.
John McNair Parker, Jefferson county.

Cyrus M. Preston, Johnson county.

P. O. Sullivan, Kenton county.

Ottoway W. Wadill, Jr., Hopkins county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

By unanimous consent, the rules were suspended, and Mr. Wright reported a bill, entitled

An act for the protection of fish in the waters of the State of Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on General Statutes.

By unanimous consent, the rules were suspended, and Mr. Wright reported a bill, entitled

An act to amend chapter 46, General Statutes, title “Game and Small Birds,” and the acts supplementary and amendatory thereof.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on General Statutes.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act for the benefit of the State Normal School for Colored Persons,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed read a third time.

Said bill was engrossed and read a third time, as follows, viz:

WHEREAS, The State Normal School for Colored Persons has proven successful, according to its means, needing only reasonable appropriations to place it on a broad and reliable basis ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That after July 1, 1890, the sum of one thousand dollars (\$1,000) be added to the annual fund of said Normal School, in order to secure to the faculty additional working force of the highest grade, to found a library, to improve and preserve the grounds, and to meet all incidental expenses consequent upon the conduct of such an institution.

§ 2. That, as a means of economy and convenience to the female pupils of said Normal School, the sum of eight thousand dollars (\$8,000) be, and is hereby, appropriated for the erection on its grounds of a plain, substantial dormitory or boarding-house.

§ 3. That the appropriations in virtue of this act be paid out of any money in the Treasury not otherwise appropriated, and placed under the management and control of the Board of Trustees of "the State Normal School for Colored Persons."

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	John McCann,
R. J. Breckinridge,	William Lindsay,	J. J. Paul,
F. W. Darby,	J. H. Lunsford,	A. L. Peterman,
T. L. Glenn,	J. W. Martin,	J. M. Pieratt,
William Goebel,	D. L. May,	Phil. Roberts,
R. G. Hays,	James H. Mulligan,	J. H. Shearer,
J. B. Hannah,	J. W. McCain,	D. W. Wright—22.
John K. Hendrick,		

Those who voted in the negative, were—

W. H. Anderson,	Reuben Conner,	B. F. Reynolds,
W. F. Berry,	Sam E. Engilsh,	G. Terry,
B. F. Cockrell,	John R. Kemp,	J. S. Wortham—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to further regulate the operation of street car lines and companies within the county of Kenton and elsewhere,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act to incorporate the South Covington & Cincinnati Street Railway Company, approved January 25, 1876,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill, from the House of Representatives, entitled

An act regulating the punishment of offenses committed within this Commonwealth, where the punishment is now a fine or imprisonment in the county jail or both,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That from and after this act goes into effect all public moneys and dues shall be paid into and out of the Treasury as provided in this act.

§ 2. All public moneys and dues to the Commonwealth shall be paid into the Treasury upon the written permit or authority of the Auditor, as now, or may hereafter be, provided by law ; and the same, when paid to the Treasurer, shall be by him, on the same day, deposited in one of the State depositories hereinafter designated.

§ 3. The Auditor shall number and date the permits issued by him to pay money into the Treasury, beginning the first day of July, and ending the thirtieth day of June, inclusive, in each fiscal year, so as to exhibit the number, date and amount of each permit, and from whom and for what the money to be paid into the Treasury thereunder is payable. And the Treasurer, in making deposits in the State depositories, will do so by the numbers, and in the amounts corresponding with the Auditor's permits.

§ 4. No money shall be paid out of the Treasury, except upon the warrant of the Auditor, drawn upon the Treasurer, as now, or may hereafter, be provided by law, and then only by the check of the Treasurer upon a designated State depository, certified by the Auditor ; and no such check shall be given by the Treasurer, even though the Auditor issues a warrant therefor, unless the law under which the money may be claimed expressly directs and orders that it shall be paid out of the Public Treasury.

§ 5. The Auditor shall date and number his warrants, beginning the first day of July and ending the thirtieth day of June, inclusive, in each fiscal year, so as to exhibit the number, date and amount of each warrant, on what account issued, and to whom payable. And the Treasurer shall date and number his checks on the State depositories, beginning the first day of July and ending the thirtieth day of June, inclusive, in each fiscal year, and shall on each indicate the number of the Auditor's warrant or warrants under which the same is issued.

§ 6. The Governor shall have the authority to require, at any time, a full statement of the condition of the Treasury from the Auditor, the Treasurer and the depositories.

§ 7. The president or cashier of each of said State depositories shall, at the close of the business hours each day, furnish a statement, over his official signature, to the Auditor, showing the amounts deposited therein by, and paid out on, the checks

of the Treasurer during said day, and the balance then remaining therein, to the credit of the Treasury.

§ 8. The Farmers' Bank of Kentucky and the Branch Bank of Kentucky, at Frankfort, are hereby continued and constituted the State depositories; and all public money of the State now in, or hereafter received into, the Treasury, shall be deposited in said depositories, in amounts as nearly equal as convenience will permit. And the Governor may, from time to time, as to him may seem necessary, examine into the condition of the State depositories and the manner in which the State's account is therein kept, and if he shall at any time find that the capital of any depository has become impaired, he shall have power to cause the State's deposit to be withdrawn therefrom, and temporarily name another depository, which, when so named, shall, with its president and cashier, be subject to the provisions of this act. For services rendered by the said depositories there shall be no charge made of any character or description.

§ 9. For any willful violation of the provisions of this act the Auditor, Treasurer, president or cashier of the aforementioned depositories may, upon indictment and conviction, be fined at the discretion of the trial jury.

§ 10. This act shall take effect from and after the 30th day of June, 1890.

Mr. Dickerson had heretofore offered the following amendment to said bill, viz :

Amended by striking out the whole of section "eight," and in lieu thereof insert the following: "There shall be at least four State depositories, to be selected and designated by the Board of Sinking Fund Commissioners, from the several banks located in the cities of Covington, Lexington, Frankfort and Louisville, and all public money of the State now in, or hereafter received into the Treasury, shall be deposited in said depositories, in amounts as nearly equal as convenience will permit; and the said Sinking Fund Commissioners shall have power to make terms with said depositories under which they shall receive and hold said money, and shall prefer such good, solvent and safe banks as will pay the highest per cent. interest on said average daily deposit. Said Sinking Fund Commissioners shall give notice to the several banks located in said cities, and fix a day on which they will select said depositories, by publication in some daily papers having a general circulation, for at least thirty days before making said selection, and will, immediately after making said selections, notify the Treasurer thereof. The Governor may, from time to time, as to him may seem best, examine into the condition of the State depositories and the manner in which the State's account is kept therein, and if he shall, at any time, find that capital of any depository has become impaired, or said depository shall fail to make proper and correct statements of its condition or the State's

account, he shall have power to cause the State's deposits to be withdrawn therefrom and placed in some other depository to be selected in said city, and when so selected and designated, said depositories and their several presidents, cashiers and other officers shall be subject to the provisions of this act, and said depositories shall make no charge for their services."

Mr. Dickerson had heretofore offered the following amendment as a substitute for the bill and pending amendment, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be the duty of the Treasurer of the State, with the advice and counsel of the Commissioners of the Sinking Fund, to deposit the funds belonging to the State with such banks in the cities of Frankfort, Lexington or Louisville as shall agree to pay interest upon the daily balances of the Treasurer on deposits therein, selecting from their number those affording the best terms, coupled with the most perfect security to the State.

§ 2. In selecting such banks due regard shall be paid to the financial standing of said bank, the rate of interest proposed to be paid on the daily balances of the State, the amount of capital and general reputation thereof.

§ 3. Nothing contained herein shall be so construed as in any way affecting the powers and duties appertaining to the Sinking Fund Commissioners under chapter 101, of the General Statutes, nor shall it be deemed in any way a release of the Treasurer from any liability on his official bond.

§ 4. This act to take effect and be in force from its passage.

Mr. Darby offered the following amendment to the bill, viz :

Add to section 8 the following proviso: "*Provided*, That when the money, including sinking fund, in said depository shall amount to one hundred thousand dollars, the Treasurer may, in his discretion, deposit the overplus in said two banks, or either of them, or in other bank or banks in Frankfort or Louisville, with such reasonable arrangements as he may be able to make, if any, for payment of interest on same. The Treasurer shall immediately on such deposit in other bank or banks than the two named, notify the Governor of the fact."

Mr. Darby offered the following amendment as a substitute for said bill, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That article one (1), of chapter one hundred and eight (108), General Statutes, title "Treasurer," be amended by adding thereto the following as an additional section, viz :
'If the Treasurer shall deposit any money of the State in

any bank, he shall make the best reasonable arrangement, if any he can, for payment by the bank of interest on same: *Provided, however,* That if he deposit any of such money in any of the banks of the city of Frankfort, he may, in his discretion, allowing as much as _____ dollars of such deposit in banks of said city without interest."

§ 2. This act shall be in force from its passage.

Mr. Kemp offered the following amendment to said bill, viz:

Amend by adding to section 8: "*Provided,* That at any time the amount of funds in the Treasury shall exceed the sum of one hundred thousand dollars, the Treasurer may, with the advice and consent of the Commissioners of the Sinking Fund, deposit such excess of funds or any part thereof with other banks of known and unquestionable solvency in the State of Kentucky, at such a rate of interest thereon as may be agreed by the Treasurer, and such banks giving the depositories named in the bill the preference at the same rate of interest: *And provided, further,* That State banks be given the preference."

Mr. Lindsay offered the following amendment to said bill, viz:

Amended by striking out the whole of section 8, and in lieu thereof insert the following: "There shall be two or more State depositories, selected and designated by the Governor from the State banks of this State, that may be able to comply with the provisions of this act, and all public money of the State now in, or hereafter received into the Treasury, shall be deposited in such depositories, and the Governor shall have power to make terms with said depositories, under which they shall receive and hold said money; and shall prefer such good, solvent and safe State banks as will pay fair and reasonable interest on the average daily deposit. The Governor shall give notice to the several State banks, and fix a day on which he will select said depositories, by publication in some daily papers having a general circulation, for at least thirty days before making said selection, and will, immediately after making said selections, notify the Treasurer thereof. The Governor, from time to time, as to him may seem best, may examine into the condition of the State depositories, and the manner in which the State's account is kept therein, and if he shall, at any time, find that the capital of any depository has become impaired, or said depository shall fail to make proper and correct statements of its condition, or the State's account, he shall have power to cause the State's deposit to be withdrawn therefrom, and placed in some other depository to be selected, and when so selected and designated, said depositories and their several presidents, cashiers and other officers, shall be subject to the provisions of this act, and said depositories shall make no charge for their services."

Mr. Lindsay moved to recommit said bill and pending amendments to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Anderson, the Senate then adjourned.

FRIDAY, MARCH 14, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Newport Electric Car Company, of Newport, Kentucky.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Barclay, Potter & Company.

An act to prevent trespassing on lands in Madison county.

That they had passed bills and adopted joint resolutions of the following titles, viz:

1. An act for the benefit of J. P. Jennings, of Jessamine county.

2. An act providing for the appointment of a sealer of weights and inspector of stock and grain scales in Shelby county, and to legalize the appointment of such officers heretofore made by the Shelby County Court.

3. An act for the benefit of Mrs. Bettie E. Edmonds, of Marion county.

4. An act for the benefit of J. W. Baird, of Simpson county.

5. An act for the benefit of William H. Corbett *alias* Hick Corbett, of McCracken county.

6. An act for the benefit of James Dennis Mocquot, of McCracken county.

7. An act for the benefit of J. F. Lowe.

8. An act for the benefit of Mrs. Johanna R. Otto, of Mason county, Kentucky.

9. An act for the benefit of John Ketchun.

10. An act for the benefit of W. M. Howard, of Latural county.

11. Resolution for the benefit of J. T. Flanagan, of the county of Marion.

12. Resolution for the benefit of J. A. Board, of the county of Marion county.

Which bills and resolutions were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

They were referred—the 1st, 3d, 7th, 8th, 9th, 10th, 11th and 12th to the Committee on Claims, and the 2d, 4th, 5th and 6th to the Committee on General Statutes.

Mr. McCain asked the appointment of a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky River, Port Royal & Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. McCain—

Ordered, That said bill be recommitted to the Committee on Claims.

Mr. Huff asked the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kinniconnick & Freestone Railroad Company,

Which was granted.

Whereupon the Speaker appointed Mr. Huff such committee on the part of the Senate.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was recommitted a bill, which originated in the Senate, entitled

An act for the better protection of food-fish in Green and Barren rivers,

Reported the same, with an amendment.

Mr. Breckinridge proposed an amendment to said bill.

On motion of Mr. Hays—

Ordered, That said bill and pending amendments be recommitted to the Committee on Propositions and Grievances.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Common School District No. 1, in Grayson county;

An act to amend an act, entitled "An act to incorporate the Henderson Trust Company," approved March 13, 1886;

An act to incorporate the city of Middlesborough, in Bell county;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Charles W. Howe;

An act to declare Rock Lick creek, in Breckinridge county, a navigable stream;

An act prohibiting any person from riding or driving on any

sidewalk within one-half mile of Owensboro, on Frederica street, extended, known as the Livermore road ;

An act to prohibit the running at large of stock in certain parts of Livingston county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to re-enact chapter 94 of Private Acts, 1887-8,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Which motion was simply entered.

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Big Hill Mining and Investment Company.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. McCain—

Ordered, That the further consideration of said bill be postponed, and that said bill be recommitted to the Committee on Propositions and Grievances.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act for the protection of the public health by providing

for the inspection of cattle, calves, sheep, lambs and swine intended for human food,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Bradley—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on Courts of Justice.

Mr. Darby read and laid on the table the following joint resolution, viz :

Resolved by the Senate and House of Representatives of the Commonwealth of Kentucky, 1. That a joint committee of three from the Senate and five from the House of Representatives be appointed by the respective Speakers thereof, whose duty it shall be to consider the propriety and expediency of legislation looking to a suitable representation of the resources, wealth, advantages, progress and development of the State of Kentucky at the World's Fair, to be held at Chicago in 1892, and they will report by bill or otherwise.

2. This resolution shall be in force from its passage.

Which, under the rules, lies one day on the table.

Mr. Patteson, from the Committee on Claims, to whom was referred a resolution, which originated in the House of Representatives, entitled

Resolution providing for the erection of a monument over the grave of Luke P. Blackburn, late Governor of Kentucky,

Reported the same, without amendment.

Said resolution reads as follows, viz :

WHEREAS, The Hon. Luke P. Blackburn, late Governor of this State, and one of the most distinguished of its native-born citizens, departed this life on the 14th day of September, 1887, and it being eminently proper that the Representatives of the people should pay a suitable tribute to his memory ; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor of Public Accounts, be and is, directed to draw his warrant upon the Treasurer for the sum of \$1,500, payable out of any money in the Treasury, not otherwise appropriated, for the purpose of erecting a suitable monu-

ment over his remains in the cemetery, at Frankfort, Kentucky, under the order of His Excellency, the Governor of this Commonwealth.

2. This resolution shall take effect upon its adoption.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann,
Ben F. Bradley,	J. B. Hannah,	John P. Newman,
R. J. Breckinridge,	John K. Hendrick,	Chas. Patteson,
Reuben Conner,	John R. Kemp,	J. J. Paul,
F. W. Darby,	William Lindsay,	A. L. Peterman,
W. W. Dickerson,	J. H. Lunsford,	J. M. Pieratt,
Sam E. English,	D. L. May,	B. F. Reynolds,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	D. W. Wright—28.
William Goebel,		

Those who voted in the negative, were—

Phil Roberts,	G. Terry,	J. S. Wortham—3.
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Resolved, That the title of said resolution be as aforesaid.

Mr. Kemp withdrew the motion heretofore entered by him, to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled.

An act to cheapen and regulate the prices of text-books in the common schools of this Commonwealth.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act providing for the establishing of graded school districts and schools in this Commonwealth.

On motion of Mr. Peterman—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Friday next, March 21st, at 11 o'clock A. M., and from day to day until disposed of.

On motion of Mr. Patteson—

Ordered, That the consideration of the special orders of the day be postponed until a call of the committees was had.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was recommitted a bill, entitled

An act to prescribe the mode of ascertaining the value of property of companies owning bridges crossing the Ohio river into or from this State for taxation and taxing the same,

Reported the same, without amendment.

Mr. Newman proposed an amendment to said bill.

Mr. Hays moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, March 19th, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	John McCann,	G. Terry—17.
R. G. Hays,	John P. Newman,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
W. F. Berry,	John K. Hendrick,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	J. S. Wortham,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—13.
T. L. Glenn,		

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Lexington Hydraulic and Manufacturing Company," approved February 27, 1882.

Reported the same, with an amendment.

Which were adopted.

Ordered, That said bill as amended, be read a third time.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The constitutional provision as to the third reading of said bill being dispensed with,

Mr. Mulligan moved to reconsider the vote by which the Senate had passed said bill.

Mr. Mulligan moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Huff, from the Committee on Public Health, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a State Board of Pharmacy, defining its duties and powers, and to regulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 13, 1888,

Reported the same, without amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the above-named act be, and the same is hereby, amended as follows : Amend section 6 by striking out all of said section after the word "act," in the tenth line, and inserting in lieu thereof the following : "The registration fee in all cases to be \$5."

§ 2. Also amend by striking out all of section 15, and inserting in lieu thereof : "This act shall only apply to incorporated cities and towns of this Commonwealth."

§ 3. This act shall take effect from its passage.

Mr. Huff proposed the following amendment to said bill, viz :

Provided, That nothing in this act shall apply to any dealer or dealers that sell drugs or medicines in original packages by weight or measure, and this act shall not apply to towns of less than three hundred inhabitants.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Peterman moved to reconsider the vote by which the Senate refused to adopt said amendment.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	D. L. May,
W. F. Berry,	T. L. Glenn,	John McCann,
R. J. Breckinridge,	William Goebel,	John P. Newman,
Reuben Conner,	J. P. Huff,	D. H. Smith,
W. W. Dickerson,	John R. Kemp,	G. Terry,
Sam E. English,	William Lindsay,	D. W. Wright—18.

Those who voted in the negative, were—

F. W. Darby,	J. W. McCain,	B. F. Reynolds,
R. G. Hays,	Chas. Patteson,	Phil Roberts,
J. B. Hannah,	A. L. Peterman,	J. H. Shearer,
John K. Hendrick,	J. M. Pieratt,	J. S. Wortham—13.
J. H. Lunsford,		

Mr. Terry moved to amend said bill as follows, viz :

That the provisions of this bill shall not apply to the counties in the 8th, 9th, 10th and 16th Senatorial Districts.

Mr. Roberts moved to amend said bill by excluding the counties of Madison, Rockcastle and Estill from the provisions thereof.

Mr. Glenn moved to amend said bills as follows, viz :

The provisions of this act shall not prevent or exclude from registration any person engaged in the business of a pharmacist at the time of the passage of this act.

Mr. Peterman moved to amend said bill as follows, viz :

The provisions of this act shall not apply to sellers of original packages of drugs by weight or measure.

Mr. Berry moved to lay said bill and pending amendments on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Huff moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Terry to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Terry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	D. L. May,	Phil Roberts,
Ben F. Bradley,	Charles Patteson,	J. H. Shearer,
Reuben Conner,	A. L. Peterman,	G. Terry,
J. B. Hannah,	J. M. Pieratt,	J. S. Wortham,
John R. Kemp,	B. F. Reynolds,	D. W. Wright—16.
J. W. Martin,		

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
R. J. Breckinridge,	John K. Hendrick,	John McCann,
W. W. Dickerson,	J. P. Huff,	John P. Newman,
G. W. Gates,	William Lindsay,	J. J. Paul,
T. L. Glenn,	J. H. Lunsford,	D. H. Smith—16.
William Goebel,		

The question was then taken on the adoption of the amendment proposed by Mr. Roberts to said bill, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Glenn to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Peterman to said bill, and it was decided in the affirmative.

Ordered, That said bill be engrossed, and read a third time.

Said bill was engrossed and read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Terry and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
Ben F. Bradley,	J. B. Hannah,	John P. Newman,
R. J. Breckinridge,	John K. Hendrick,	Chas. Patteson,
Reuben Conner,	J. P. Huff,	J. J. Paul,
F. W. Darby,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	J. H. Lunsford,	D. H. Smith,
G. W. Gates,	James H. Mulligan,	D. W. Wright—23.
T. L. Glenn,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	D. L. May,	J. H. Shearer,
William Goebel,	B. F. Reynolds,	G. Terry,
John R. Kemp,	Phil Roberts,	J. S. Wortham—10.
J. W. Martin,		

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Smith moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kemp and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
Ben F. Bradley,	T. L. Glenn,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	J. M. Pieratt,
Reuben Conner,	J. P. Huff,	D. H. Smith,
F. W. Darby,	J. H. Lunsford,	D. W. Wright—17.
Sam E. English,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	Phil Roberts,
William Goebel,	J. W. Martin,	J. H. Shearer,
J. B. Hannah,	Chas. Patteson,	G. Terry,
John K. Hendrick,	J. J. Paul,	J. S. Wortham—16.
John R. Kemp,		

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to prevent stock from running loose within the corporate limits of the town of Warsaw.

By same—

An act to change and fix the boundary line between the counties of Leslie and Perry.

By Mr. Hays, from the same committee—

An act to amend an act, entitled “An act to amend an act and reduce into one the several acts in relation to the city of Lebanon.”

By Mr. Roberts, from the same committee—

An act to prevent hogs from running at large in the county of Jefferson, and provide a penalty therefor.

By Mr. Newman, from the same committee—

An act to change and define the boundary line of Hayfield district, in the county of Campbell.

By same—

An act to change the Liberty Hall voting place in District No. 2, in Breckinridge county.

By same—

An act to amend an act, entitled “An act to incorporate the town of Briensburg, in Marshall county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to authorize the United Baptist Church, at Morganfield, Kentucky, to sell their church lot, and reinvest the proceeds of same.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life, insurance companies,” approved March 12, 1870.

By Mr. Bradley, from the Committee on Railroads—

An act to compel the Kentucky Central Railway Company, and its assigns, to provide safety gates and to keep a watchman at the crossing of its road over the turnpike leading from Paris to Winchester, at Paris, Bourbon county.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to amend an act to incorporate the Madison County Fair Association.

By same—

An act to amend the charter of the Washington County Stock and Agricultural Society.

By same—

An act to incorporate the Breckinridge Fair Company.

By same—

An act to amend an act, entitled “An act to incorporate the Farmers’ Mutual Aid Association, of Mason county, Kentucky,” approved January 26, 1882.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act to incorporate the Pleasant Grove Cemetery Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Cartwright Spring Wagon Works.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to provide for a registration of voters in the city of Covington.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to further regulate municipal elections in the city of Covington.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act making it unlawful for cattle to run at large upon that part of the turnpike road leading from Bardstown to Louisville, which lies between Bardstown and the toll-gate on said road nearest to Bardstown.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Deposit Building and Loan Association, of Lexington.

With amendments to the five last-named bills.

Which were adopted.

Ordered, That said bills, the five last-named as amended, be severally read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to regulate the operation of street railway lines lying,

in whole or in part, within the city of Covington, and fares on the same.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the town of Croppers, in Shelby county.

By same—

An act to punish trespassing upon the inclosures of citizens of Hopkins and Christian counties.

By Mr. Roberts, from the same committee—

An act to incorporate the Waco & Richmond Railway Company.

By same—

An act to incorporate the Hillsboro Cemetery Company, of Fleming county.

By Mr. Newman, from the same committee—

An act to provide for sewerage in the city of Newport.

By same—

An act to amend the charter of the city of Newport.

By Mr. Conner, from the same committee—

An act to extend and better define the limits of the city of Frankfort.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to further amend an act, entitled “An act to amend the charter of Newcastle, and to reduce into one the amendments thereto,” approved 25th March, 1882, vol. 1, page 1011.

By Mr. Bradley, from the Committee on Railroads—

An act to require the Kentucky Central Railway Company and its assigns to provide and keep a watchman stationed at the point where its railroad crosses the Lexington & Cynthiana Turnpike near the city of Lexington, in Fayette county.

By Mr. Lunsford, from the same committee—

An act to amend an act, entitled “An act to incorporate the Paducah & Cairo Railroad Company,” approved March 16, 1888.

By Mr. Bradley, from the same committee—

An act to amend and continue in force an act, entitled “An

act to incorporate the Buffalo & Hodgenville Railroad Company," approved April 12, 1888.

By Mr. Lunsford, from the same committee—

An act to incorporate the Somerset & Eastern Kentucky Railroad Company.

By Mr. May, from the same committee—

An act to incorporate the Bowling Green & Southern Railroad Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act amending an act incorporating the Maysville Manufacturing Association.

By Mr. Smith, from the Committee on Executive Affairs—

An act to regulate the licensing of the sale of spirituous, vinous and malt liquors in the city of Carlisle.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Ford Savings Bank.

By same—

An act to incorporate Iron Banks Lodge No. 802, Knights of Honor, Columbus, Kentucky.

By same—

An act to incorporate the People's Banking and Trust Company.

By Mr. Lindsay, from the same committee—

An act to incorporate the Anderson County Safety Vault and Trust Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Cross Land and Lumber Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Hays—

1. A bill to amend the charter of the Muhlenberg Coal Company, approved February 7, 1880.

On motion of same—

2. A bill to incorporate the Wilder Road Turnpike Company.

On motion of Mr. Pieratt—

3. A bill to prohibit the sale of spirituous, vinous or malt liquors within two-and-one-half miles of the Methodist church-house or common school-house, in Champton.

On motion of Mr. Wortham—

4. A bill to amend article 1, of chapter 47, of the General Statutes, entitled "Gaming."

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Internal Improvements the 2d: the Committee on Religion and Morals the 3d, and the Committee on General Statutes the 4th.

And then the Senate adjourned.

SATURDAY, MARCH 15, 1890.

The Speaker of the Senate being absent, at his request Mr. D. H. Smith took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Citizens' Bank of Princeton.

An act to amend an act, entitled "An act to amend an act,

entitled 'An act to amend and reduce into one the several acts in relation to the town of Danville,' " approved March 10, 1873, which act was approved February 18, 1890.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Calhoun,' " approved March 4, 1872, approved March 7, 1873.

An act to authorize the board of trustees of the town of Eddyville, Lyon county, to sell or lease certain streets of said town.

An act to amend an act, entitled "An act to incorporate the Maysville Street Railroad and Transfer Company," approved January 21, 1868.

An act to amend the charter of Cabin Creek, East Fork and Concord Turnpike Road Company.

An act to incorporate the Farmers' Bank and Trust Company, of Stanford, Kentucky.

An act to establish a city government for the town of North Middletown.

An act to amend an act, to amend article 1, chapter 55, of the General Statutes, title "Division Fences," approved May 17, 1886.

An act to amend an act, entitled "An act to incorporate the Henderson Belt Railroad Company," approved April 13, 1888.

An act to incorporate the Jackson Building and Loan Association.

An act to amend an act, entitled "An act to incorporate the Lincoln County Building and Savings Association."

An act to incorporate the Beattyville Street Railway Company.

An act to incorporate the North Kentucky Summer Institute, at Cynthiana.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Farmers' and Mechanics' Building and Loan Association, of Bowling Green, Kentucky.

2. An act to amend article 3, of chapter 92, General Statutes, title "Revenue and Taxation."

3. An act to repeal an act, entitled "An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Hopkins county."

4. An act to fund the debt of Marion county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Banks and Insurance; the 2d to the Committee on Revenue and Taxation; the 3d to the Committee on Religion and Morals, and the 4th named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to repeal an act, entitled “An act to prevent the drifting and floating of saw-logs down the Licking river below Salvorsville,” approved May 7, 1886.

An act to declare Horse Fork creek a navigable stream.

An act prohibiting any person from riding or driving on any sidewalk within one-half mile of Owensboro, on Frederica street, extended, known as the Livermore road.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, March 15, 1890. }

Gentlemen of the Senate:

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto:

Charles W. Bean, Fayette county.

Ridgely Cayce, Jefferson county.

J. T. Cleary, Kenton county.

Stella Dembitz, Jefferson county.

James G. Dudley, Franklin county.
Walker D. Hines, Jefferson county.
Charles Kerr, Fayette county.
George W. S. Olmstead, Jefferson county.
George H. Miller, Marion county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 15, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent will appoint S. C. Bull, N. J. Sawyer, M. D., and W. S. Dehoney members of the Board of Commissioners of the "Kentucky Institution for the Education and Training of Feeble-minded Children," to succeed themselves.

Very respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

On motion of Mr. Kemp, leave of absence indefinitely was granted Messrs. Lunsford, Reynolds, McCain, Huff, Mulligan, and Lindsay.

Mr. Dickerson was appointed a committee to withdraw from the House of Representatives, the announcement of the passage, by the Senate, of bill which originated in the House of Representatives, entitled

An act to incorporate the Kinniconnick & Freestone Railroad Company.

After a short time thereafter, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

Mr. Dickerson proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the special joint committee appointed to investigate the management of lotteries, reported a bill, entitled

An act to repeal an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1850,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, The lottery is a most demoralizing and odious system of gambling, degrading to the State, inducing idleness and crime, preying upon the hard earnings of the poor, plundering the ignorant and the simple, productive of extensive evils, and injury to the people of the Commonwealth, injurious to the public morals and is immoral in all its tendencies ; and, whereas, certain persons are conducting or claiming the right to conduct a lottery privilege or franchise, by virtue of an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1850 ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1850, is hereby repealed.

§ 2. That this act shall take effect and be in force from and after its passage.

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Wright moved a call of the Senate.

And the question being taken thereon, it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

W. H. Anderson,	Reuben Conner,	T. L. Glenn,
W. F. Berry,	W. W. Dickerson,	J. B. Hannah,
Ben F. Bradley,	Sam E. English,	John R. Kemp—10.
R. J. Breckinridge,		

Mr. Wright moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. May and McCann, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. J. Paul,
W. F. Berry,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
Reuben Conner,	J. W. Martin,	G. Terry,
W. W. Dickerson,	D. L. May,	J. S. Wortham,
Sam E. English,	John McCann,	D. W. Wright—22.
G. W. Gates,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Terry, from the special joint committee appointed to investigate the condition of the Auditor's and Treasurer's offices, made the following report, viz:

LEGISLATURE OF KENTUCKY, }
SESSION OF 1889-90. }
FRANKFORT, —————, 1890. }

Hon JAMES W. BRYAN, Speaker of the Senate, and Hon. HARVEY MYERS, Speaker of the House of Representatives :

Your joint committee, appointed to investigate the Auditor's and Treasurer's offices, beg leave to report that we have performed that duty by making a careful study of the system of business required under the law relating to both offices, and an examination of each department and the books, accounts, and papers of each desk. Both Auditor Norman and Treasurer Sharp afforded us every facility for making the investigation thorough and effective. All the records were subject to our inspection, and explanations, when necessary, were made to the committee by both officers and their clerks.

Our investigation began from April 20, 1888, when Treasurer Sharp first assumed charge of his office as the successor of James W. Tate (and up to which time the joint committee of the last Legislature made their investigation), and covered the time to the end of the Treasurer's fiscal term, on January 6, 1890.

We found the work in both the Auditor's and Treasurer's offices neatly, correctly and intelligently performed, the clerks competent and diligent in their respective duties, and the system, as carried out under the law, in reference to the receipts and expenditures, a complete counter-check of one office upon the other. The plan of the Treasurer of making daily deposits of his receipts, and of paying out no money upon the warrants of the Auditor, except through checks upon the banks, we think a safeguard against error and temptation, which should be commended. The Auditor has his office so thoroughly organized and systematized as to give the public prompt and efficient service in each of the multifarious channels which flow in and out of his department from every county in the State. We found that the Auditor and Treasurer had complied with the law in regard to the monthly settlements in presence of the State Examiner, and that copies of these settlements had been lodged by the Auditor with the Secretary of State, as

well as a notice of such filing with the Governor. The law also makes it the duty of the State Examiner to report to the Governor his presence at these monthly settlements.

We made our investigation in detail, from meeting to meeting, in the presence of both Auditor and Treasurer, adding and comparing each source of revenue and warrant of expenditure, both by the permits of the Auditor upon the Treasurer to receive money, as compared with the receipts of the Treasurer to the Auditor for the money so received, and by checking and counter-checking by both deposit and warrant stubs, bank checks and tally-sheets between the two offices taken from their ledgers, and we found the cash balances each month in the Treasury correct, as shown upon the monthly settlements made by the Auditor as aforestated, in the presence of the State Examiner.

While the books of the two offices agreed in the balances on January 6, 1890, still, from the statements of the banks, the Treasurer had \$11.73 more to his credit than either his books or the Auditor's books called for—a fault, doubtless, to which the State is not likely to take exception.

The following was the condition of the Treasury at that date :

CASH IN BANKS.

Farmers' Bank of Kentucky, Frankfort	\$229,489 26
Branch Bank of Kentucky, Frankfort	276,184 72
State National Bank of Frankfort, Frankfort	123,091 78
Phoenix National Bank, Lexington	50,000 00
<hr/>	
Total	\$678,765 76
Outstanding warrants issued by Auditor	268,330 50
<hr/>	
Treasurer's balance in banks shows	\$410,435 23
The books of Auditor and Treasurer show the balance should be	410,423 50
<hr/>	
Excess in banks	\$ 11 73

In conclusion, we think the State has been well served in these departments, both by Auditor L. C. Norman and Treasurer S. G. Sharp. Major Norman succeeded to the office of Auditor in November last, by the appointment of Governor Buckner, yet in the few months following, he has shown by

his record and comprehensive grasp of the laws, and the details of his office, that he aims to make his administration clean, thorough and faithful.

All of which is respectfully submitted.

G. TERRY, *Chairman*.

CHAS. B. POYNTZ,

J. J. PAUL,

J. M. PIERATT,

J. M. FRAZEE,

T. T. GARDNER,

W. P. BENTLEY,

J. A. HINDMAN.

MYER WEIL.

Mr. Peterman moved that when the Senate adjourns, that it be until Tuesday, March 18, 1890, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Terry and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	T. L. Glenn,	John McCann,
R. J. Breckinridge,	William Goebel,	John P. Newman,
Reuben Conner,	J. B. Hannah,	J. J. Paul,
W. W. Dickerson,	John K. Hendrick,	A. L. Peterman,
Sam E. English,	John R. Kemp,	J. M. Pieratt,
G. W. Gates,	D. L. May,	D. W. Wright—18.

Those who voted in the negative, were—

W. H. Anderson,	Chas. Patteson,	J. S. Wortham—5.
J. W. Martin,	G. Terry,	

Mr. Peterman moved to reconsider the vote by which the Senate had adopted said motion.

Mr. Peterman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Paul and Newman, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	G. W. Gates,	D. L. May,
R. J. Breckinridge,	T. L. Glenn,	John McCann,
Reuben Conner,	William Goebel,	John P. Newman,
W. W. Dickerson,	John K. Hendrick,	A. L. Peterman,
Sam E. English,	John R. Kemp,	J. M. Pieratt—15.

Those who voted in the negative, were—

W. H. Anderson,	Chas. Patteson,	J. S. Wortham,
J. B. Hannah,	J. J. Paul,	D. W. Wright—8.
J. W. Martin,	G. Terry,	

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to authorize William Carter, of Caldwell county, to solemnize marriages in said county,

Which was granted.

Whereupon the Speaker appointed Mr. Berry said committee on the part of the Senate.

After a short time, Mr. Berry, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Berry moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of said bill.

Which was granted, and the bill was delivered to the messenger.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act authorizing and directing the Secretary of State to

furnish the county of Rowan with two sets of Reports of the Court of Appeals for use in the county and circuit court clerks offices in said county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time, as follows, viz :

WHEREAS, On the seventh day of November, 1880, the county and circuit court clerks' offices of Rowan county were burned, and the library and records of said offices were totally destroyed by fire, including the reports of the decisions of the Court of Appeals, belonging to said officers ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Secretary of State be, and is hereby, authorized and directed to purchase for and furnish to the county and circuit court clerks' offices of Rowan county, each a full set of the decisions of the Court of Appeals of Kentucky, from the time of the organization of the said court, up and including the fourteen volumes of said reports, by W. P. D. Bush, for the use of the various courts of said county and the officers of same.

§ 2. The Secretary of State shall certify to the Auditor of State, the number of copies of reports purchased by him under this act, with the cost price of each volume, and the Auditor is, by this act, authorized and directed to draw his warrant upon the Treasurer of Kentucky for the amount, so certified by the Secretary of State, to pay for said reports: *Provided*, That not more than five dollars per volume, on an average, shall be paid for the said reports.

§ 3. This act shall take effect from and after its passage.

Mr. Newman moved to amend said bill as follows, viz :

Strike out "one set to the county clerk's office."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	D. L. May,	G. Terry,
Reuben Conner,	John P. Newman,	J. S. Wortham—6.

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	D. H. Smith,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—15.

Mr. Newman objected to the further reading of said bill on this day.

So the said bill fell into the orders of the day.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, and the several amendments thereto,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought not to be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the negative.

So said amendment was disagreed to.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in bills of the following titles, viz:

An act for the benefit of Mrs. Patrick Craven, of Maysville;

An act for the benefit of George W. Baker, of Clay county,

Asked to be discharged from the further consideration of said leaves,

Which was granted.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to repeal an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and all amendatory acts thereto,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, The lottery is a most demoralizing and odious system of gambling, degrading to the State, inducing idleness and crime, injurious to public morals, and is immoral in all its tendencies ; and whereas, certain persons are conducting, or claiming the right to conduct a lottery privilege or franchise, by virtue of an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and certain amendatory acts thereto ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and all amendatory acts thereto, are hereby repealed.

§ 2. That this act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to incorporate the Newport Printing and Newspaper Company," approved April 8, 1878,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, The lottery is a most demoralizing and odious system of gambling, degrading to the State, inducing idleness and crime, productive of extensive evils and injury to the people of the Commonwealth, injurious to public morals, and is immoral in all its tendencies ; and whereas, certain persons, company or corporation, are conducting or claiming the right to conduct a lottery privilege, or gift distribution by way of lottery, by virtue of an act, entitled "An act to incorporate the New-

port Printing and Newspaper Company," approved April 8, 1878; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1, of an act, entitled "An act to incorporate the Newport Printing and Newspaper Company," approved April 8, 1878, is hereby amended, by striking out of said section the following language, to-wit: "And to facilitate the circulation of any such newspaper or newspapers, and enable said company to compete with other papers, it may, from time to time, allot to subscribers, or clubs of subscribers, such premiums or advances as said company may, in its discretion, see fit, and in such manner as said company may deem most advantageous; and may, from time to time, acquire by purchase, or any other lawful mode, any real or personal property that said company may desire, in the course of its business, and dispose of the same, or any part thereof, at pleasure.

§ 2. That this act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to repeal an act, entitled "An act for the benefit of the city schools in the town of Frankfort, and for other purposes," approved February 1, 1838, granting a lottery for certain purposes, and to repeal all amendatory acts insofar as they relate to said lottery.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, By an act of the General Assembly, entitled "An act for the benefit of the city schools in the town of Frankfort, and for other purposes," approved February 1, 1838, a lottery grant was claimed by the town of Frankfort and by section 26 of an act, entitled "An act to reduce into one the several acts,

in relation to the town of Frankfort, and for other purposes," approved February 16, 1839, it was provided that the managers of said lottery were authorized to sell and dispose of the scheme, or any class in said lottery; and whereas, by section 2 of an act, entitled "An act to amend the laws, in relation to the city of Frankfort," approved February 23, 1854, it was attempted to declare the act aforesaid, approved February 1, 1838, entitled "An act for the benefit of the city schools of Frankfort, and for other purposes," to be in full force, and by section 1 of an act, entitled "An act, in relation to the town of Frankfort," approved May 21, 1861, it was attempted to re enact section 26 of an act, entitled "An act to reduce into one the several acts, in relation to the town of Frankfort, and for other purposes," approved February, 1839; and, whereas, lotteries are injurious to the public morals, promoting and fostering a vicious and low grade of gambling, by which a few fatten upon the hard earnings of the poor and credulous; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act for the benefit of the city schools in the town of Frankfort, and for other purposes," approved February 1, 1838, and so much of section 26 of an act, entitled "An act to reduce into one the several acts, in relation to the town of Frankfort, and for other purposes," approved February 16, 1839, as refers to the lottery scheme, or any class of said lottery, are hereby repealed. That section 2 of an act, entitled "An act to amend the laws, in relation to the city of Frankfort," approved February 23, 1854, is hereby repealed, and section 1 of an act, entitled "An act, in relation to the town of Frankfort," approved May 21, 1861, is hereby repealed.

§ 2. This act to take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to repeal so much of section 18, of an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869, as grants to the board of councilmen of the city of Frankfort, the same power and authority as granted to the managers in an act, entitled "An act for the benefit of the city schools of the town of Frankfort, and for other purposes," approved February 1,

1838, and to repeal all amendatory acts in relation to said grant,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, There is embodied in a part of section 18 of an act, entitled "An act to amend and reduce into one the several acts, in relating to the city of Frankfort," approved March 16, 1869, a grant to the board of councilmen of the city of Frankfort, the same franchises, power and authority, as was conferred on the managers in an act, entitled "An act for the benefit of the city schools of the town of Frankfort, and for other purposes," approved February 1, 1838; and whereas, by an act, entitled "An act amendatory of the laws, in relation to the city of Frankfort," approved March 28, 1872, the board of councilmen of the city of Frankfort were authorized to grant, sell and convey, and otherwise dispose of any property, belonging to the city of Frankfort, be the same lands, chattels or franchises, etc., certain persons are now claiming the right to manage and conduct a lottery, under said acts; and, whereas, lotteries are injurious to public morals, degrading to the public where permitted, fostering criminal and vicious habits, a depraved system of gambling, whereby the ignorant and credulous are plundered of their small savings; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That so much of section 18 of an act, entitled "An act to amend and reduce into one the several acts, in relation to the city of Frankfort," approved March 16, 1869, as grants to the board of councilmen of the city of Frankfort, the same franchises, power and authority as are conferred on the managers in an act, entitled "An act for the benefit of the city school of the town of Frankfort, and for other purposes," approved February 1, 1838, is hereby repealed, that an act, entitled "An act amendatory of the laws in relation to the city of Frankfort," approved March 28, 1872, is hereby repealed.

§ 2. This act to take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to repeal an act, entitled "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815, and all amendatory acts in reference thereto,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

WHEREAS, Certain parties are claiming the right to run a lottery under the authority of an act, entitled, "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815, and amendatory acts in reference thereto; and whereas, lotteries are a disgrace to the public when permitted, and injurious to the public morals; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That an act entitled, "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815, and all amendatory acts in reference thereto, are hereby repealed.

§ 2. This act to take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Special Joint Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act to repeal section 22, of article 5 of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, § 1. That section 22, of article 5, of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886, is hereby repealed.

§ 2. That this act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Goebel reported a bill, entitled
An act to amend the charter of the Covington & Lexington Turnpike Road Company.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Beckinridge reported a bill, entitled

An act to incorporate the Lancaster, McKee & Middlesborough Railroad.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several

committees which were directed to prepare and bring in the same, viz :

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Georgetown Street Railway Company.”

By same—

An act in relation to Bath county subscription to Kentucky Midland Railway Company.

By same—

An act to amend an act, entitled “An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company,” approved March 19, 1873.

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act, entitled “An act to incorporate the Bank of Cumberland,” approved February 25, 1890.

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act to amend an act to reduce into one the several acts in relation to turnpike roads in Nicholas county, and appertaining thereto, and providing for a turnpike commissioner, approved February 29, 1888.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Wright, from the Committee on General Statutes—

An act for the benefit of William H. Corbett, alias Hick Corbett, of McCracken county.

By same—

An act for the benefit of J. W. Baird, of Simpson county.

By same—

An act for the benefit of Jas. Dennis Mocquot, of McCracken county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Wright—

1. A bill to amend an act, entitled “An act to incorporate the Bank of Cumberland,” approved February 25, 1890.

On motion of Mr. Terry—

2. A bill for the better regulation of public roads, and making the same in Todd county.

On motion of Mr. Martin—

3. A bill to establish and maintain the Western Kentucky State Normal College.

On motion of Mr. Peterman—

4. A bill, entitled “An act to amend and reform the school laws of this Commonwealth.”

On motion of Mr. Gates—

5. A bill to incorporate the Green River Land Development, Manufacturing and Mining Company.

On motion of Mr. Wortham—

6. A bill to incorporate the Kentucky River & Virginia Railroad Company.

On motion of Mr. May—

7. A bill to amend an act to incorporate the Hardin County Fair Association.

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d and 7th ; the Committee on Education the 3d and 4th ; the Committee on Internal Improvements the 5th, and the Committee on Railroads the 6th.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Newport Electric Street Railway Company ;

An act to extend the limits of the town of Winchester ;

An act for the benefit of School District No. 4, in Greenup county ;

An act to amend the charter of the city of Covington ;

An act to amend section 4, article 6, of chapter 92, of the General Statutes ;

An act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county ;

An act to incorporate the Hamilton College Library Association ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Newman moved that the Senate do now adjourn.

Mr. Breckinridge moved a call of the Senate.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge, J. J. Paul,
William Goebel,

A. L. Peterman—4.

Those who voted in the negative, were—

W. H. Anderson,
W. F. Berry,
Ben F. Bradley,
Reuben Conner,
W. W. Dickerson,
Sam E English,

G. W. Gates,
T. L. Glenn,
J. B. Hannah,
John R. Kemp,
J. W. Martin,
D. L. May,

John McCann,
John P. Newman,
J. M. Pieratt,
G. Terry,
D. W. Wright—17.

Mr Dickerson moved to reconsider the vote by which a call of the Senate was refused.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge, J. J. Paul, A. L. Peterman—3.

Those who voted in the negative, were—

W. F. Berry, Chas. Patteson—2.

The question was then taken on the motion made by Mr. Breckinridge, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge, J. J. Paul, D. W. Wright—5.
William Goebel, A. L. Peterman,

Those who voted in the negative, were—

W. H. Anderson, W. F. Berry, Chas. Patteson—3.

Pending the call of the Senate, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

TUESDAY, MARCH 18, 1890.

The reading of the Journal of Saturday was dispensed with.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Poyntz—

1. A bill to incorporate Mitchell, French & Co.'s Bank, of Maysville, Kentucky.

On motion of Mr. Bradley—

2. A bill to incorporate the Kentucky Fair Association.

On motion of Mr. Shearer—

3. A bill to incorporate the Otter Creek Coal, Iron and Timber Company.

On motion of same—

4. A bill for the benefit of Hiram Crabtree, of Wayne county.

On motion of same—

5. A bill for the benefit of Francis M. Gibson, of Wayne county.

On motion of Mr. Breckinridge—

6. A bill to repeal an act to amend the charter of the Danville & Hustonville Turnpike Road Company.

On motion of same—

7. A bill to repeal an act, entitled "An act to incorporate the Portsville Turnpike Company."

On motion of same—

8. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

On motion of Mr. Hays—

9. A bill regulating the purchase of field seeds and other farm products by citizens of other States, to be sold and used in other States, fixing a license fee therefor to be paid, and providing a penalty for violating the provisions of this act.

On motion of Mr. Lindsay—

10. A bill to incorporate the Chadwick's Ferry Turnpike Company.

On motion of Mr. Wright—

11. A bill to amend the charter of the city of Hopkinsville.

On motion of same—

12. A bill to amend the charter of the city of Hopkinsville.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d and 9th; the Committee on Propositions and Grievances the 3d, 4th and 5th; the Committee on Internal Improvements the 6th, 7th and 10th; the Committee on Finance the 8th, and the Committee on General Statutes the 11th and 12th.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend the charter of Bethel College of Russellville.

An act to amend an act, entitled "An act to incorporate the Larue Deposit Bank," approved February 16, 1888.

An act to incorporate the Norton University.

An act to punish certain trespasses in the counties of Bracken, Mason, Harrison, Grant and Scott.

An act to incorporate the Cartwright Spring Wagon Works.

An act to amend an act incorporating the town of Pleasureville, in Henry county.

An act to amend an act, entitled "An act to incorporate the Lexington Hydraulic & Manufacturing Company," approved February 27, 1882.

An act to incorporate the Deposit Building and Loan Association of Lexington.

An act to incorporate the Pineville Street Railway Company.

An act making it unlawful for cattle to run at large upon that portion of the turnpike road leading from Bardstown to Louisville, which lies between Bardstown and the toll-gate on said road, nearest to Bardstown.

An act to incorporate the Cumberland Railroad Company.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to secure the attendance of witnesses before the joint committee appointed to investigate lotteries conducted in this

State, and prescribing punishments against witnesses for certain offenses.

An act to authorize and empower the Wolfe County Court to levy and collect an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house.

An act to amend an act, entitled "An act to authorize the county of Spencer to refund its bonded indebtedness," approved February 15, 1888.

An act to authorize the court of claims of Livingston county to levy an ad valorem tax for bridge purposes.

An act to incorporate the Owensboro Fire Insurance Company of Owensboro.

An act amending an act incorporating the Maysville Manufacturing Association.

An act to regulate the licensing of the sale of spirituous, vinous and malt liquors in the city of Carlisle.

An act to prevent shipping, for market, partridges out of McLean and Daviess counties within two years.

With an amendment to the last-named bill.

Ordered, That said bill, with the amendment thereto, be referred to the Committee on Propositions and Grievances.

That they had passed bills of the following titles, viz :

1. An act to amend the charter of the Security Trust and Safety Vault Company, of Lexington, Kentucky.

2. An act to authorize the board of trustees of London, Kentucky, to issue bonds to raise money to macadamize the streets, and to provide street lamps for said town.

3. An act to levy a tax to pay the floating debt of the city of Owensboro.

4. An act authorizing the transfer of a balance of railroad fund to the general revenue fund of the city of Owensboro.

5. An act to incorporate the Central Trust Company, of Owensboro.

6. An act to incorporate the Ohio Valley Banking and Trust Company.

7. An act to incorporate the Middlesborough Bank, Loan and Trust Company.

8. An act to tax stock corporations for the privilege of organization.

9. An act to amend an act to incorporate the Richmond Safety Vault and Trust Company.

10. An act to authorize the city of Henderson to issue bonds to the amount of \$50,000 for sewerage purposes.

11. An act to change the line between Butler and Muhlenberg counties.

12. An act to amend an act, entitled "An act to amend an act, entitled 'An act to empower Logan county to retire the bonded indebtedness of the county at or before maturity, to create a sinking fund for that purpose, to provide for commissioners of the sinking fund and collectors of taxes levied, and to provide for the duties and power of said officers.'"

13. An act to incorporate the Grand Lodge of the Adherents of the High Mogul, and to authorize the said lodge to grant charters to subordinate lodges of said order, and to organize a mutual benefit association.

14. An act to authorize the city of Cloverport to refund its school-house indebtedness.

15. An act empowering the municipalities in Kenton county to regulate the observance of Sunday therein.

16. An act for the benefit of certain officers and agents in Lewis county.

17. An act to amend an act, entitled "An act to incorporate the Winchester Vault and Trust Company, of Winchester, Kentucky."

18. An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank, of Eminence, Kentucky," approved May 12, 1886, empowering said bank to act as Trust and Safety Vault Company.

19. An act to make provision for establishment of water-works in the city of Stanford, and authorize city council of the city of Stanford to issue bonds to aid in the establishment of water-works for said city, and to provide for the payment of the principal and interest of said bonds.

20. An act creating the voting precinct of Waddy, in Shelby county.

21. An act changing the time of holding the county and quarterly courts in Owsley county.

22. An act imposing a tax on dogs in Fayette county, and

providing for its collection, and appropriation for the payment of sheep killed in said county by dogs.

23. An act to amend the charter of the town of Petersburg, in Boone county, extend the boundary limits of said town and grant additional powers.

23. An act declaring certain portion of Green river, in Green county a lawful fence.

24. An act to repeal the charter of the town of Greenup, Greenup county, and the acts amendatory thereto, and to re-incorporate said town.

26. An act to incorporate the Union Trust Company of Maysville, Kentucky.

27. An act to incorporate the Maple Turnpike Road Company.

28. An act to incorporate the North Middletown Chapter No. 26, R. A. M., at North Middletown, Bourbon county.

29. An act to incorporate the Washington Lodge, No. 79, F. & A. M., at North Middletown, Bourbon county.

30. An act to incorporate the bank of D. A. Sayre & Co., of Lexington, Kentucky.

31. An act to incorporate the town of Jackson.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred, the 1st, 5th, 6th, 7th, 9th, 17th, 26th and 30th to the Committee on Banks and Insurance; the 2d, 10th and 27th to the Committee on Internal Improvements; the 3d, 4th, 15th, 21st and 25th to the Committee on Courts of Justice; the 8th to the Committee on Revenue and Taxation; the 11th, 22d, 23d and 24th to the Committee on Propositions and Grievances; the 12th, 14th and 18th to the Committee on General Statutes; the 13th, 28th and 29th to the Committee on Religion and Morals; the 16th to the Committee on Finance; the 19th to the Committee on the Judiciary; the 20th to the Committee on Privileges and Elections, and the 31st-named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright moved that the special orders of the day be postponed for the day, and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Paul, from the Committee on Codes of Practice—

An act to amend, digest and reduce into one all the acts and laws in relation to the town of Barbourville.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to amend the charter of the city of Augusta, Kentucky,” approved February 18, 1890.

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act to revise and amend the charter of the city of Bowling Green, approved January 2, 1882.

With amendments to said bills.

Which were adopted.

Ordered, That said bills, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. McCain, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend section 481, Civil Code,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 481, of the Civil Code of Practice, be amended by striking out of said section the words, “An attorney for the Commonwealth,” and inserting in lieu thereof the following words: “the Commonwealth’s Attorney for the district in which such action is brought.”

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend section 1, of article 1, of chapter 92, entitled "Revenue and Taxation," General Statutes,

Asked to be discharged from the further consideration of said leave,

Which was granted.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1, of article 1, of chapter 92, entitled "Revenue and Taxation," of General Statutes, be amended by striking out of the first line of said section, the words "forty-seven cents," and inserting in lieu thereof the words "forty cents;" and by striking out of line six, of said section, the words "twenty cents," and inserting in lieu thereof "thirteen cents."

§ 2. This act shall take effect from and after its passage.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Harlan County Court to issue and sell the bonds of said county, and provide for the payment of the same, for the purpose of building a new jail,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That for the purpose of enabling Harlan county court to raise money to build a new jail in Mt. Pleasant, the county seat of said county, the county court of said county, a majority of the justices of the peace of said county being present and concurring therein, may cause bonds of said county to be issued, not exceeding in the aggregate the sum of ten thousand dollars, of denominations of not less than one hundred nor more than one thousand dollars, as the court may direct; said bonds to be prepared and executed under the seal of the county court, signed by the judge, and attested by the clerk thereof, payable to the holder thereof at such place and in such time as the court may direct, in not less, however, than five nor more than twenty years from the date of said bond, and not to bear a greater interest than six per cent. per annum; said interest to be paid annually from the date of the purchase of said bond until paid; said bonds to be redeemable at the

pleasure of the court, at any time after the expiration of five years after the date of purchase. Said bonds shall have interest coupons attached, which shall be signed by the county court clerk, whose duty it shall be to keep a list of all the aforesaid bonds, showing the date, number, amount, the time issued and delivered, to whom delivered, and when due ; which list shall be carefully kept by him in his office.

§ 2. Said county court shall have full power and authority to sell and dispose, and deliver to the purchaser, the bonds herein provided for, and to provide for the payment of principal and interest of same, in such manner, and at such times as it may think proper, through or by a commissioner appointed by said court: *Provided*, That none of said bonds shall be sold for less than par face value ; but before said commissioner or agent herein provided for shall enter upon the discharge of the duties of his office, he shall take an oath before the county court, to the effect that he will faithfully discharge his duties as commissioner or agent, and shall also execute a good and sufficient bond before said court, conditioned that he will faithfully discharge his duties, and that he will pay over in due time, to the proper person, any and all money received by him from the sale of said bonds.

§ 3. The said county court may deliver said bonds to the said commissioner at such time and such amount as it may deem proper ; and he shall sell and dispose of same under the provisions of this act, in such way as the court may direct, and pay over the money arising from the sale of such bonds to the person appointed by the court to receive the same. Said commissioners shall keep an accurate list of the number, date, amount, time when due, and to whom sold, and also a list of those unsold, and shall make a full and complete report to said court, together with said list of said bonds.

§ 4. Said court shall appoint some suitable person as receiver, whose duty it shall be to receive and receipt for the money arising from the sale of the bonds herein provided for, and pay the same out by order of the county court, at such times and in such manner, and to such persons as the court may direct ; but before said receiver shall enter upon the discharge of his duties, he shall take an oath in open court, before the county judge, to the effect that he will faithfully discharge his duties ; and he shall also execute a good and sufficient bond in said court, to be approved by the county judge of said court, conditioned that he will faithfully discharge his duty as receiver aforesaid, and that he will at such time and in such manner, as to such person, pay over any money in his hands as receiver, whenever directed by the said county court.

§ 5. That for the purpose of raising money to pay off the bonds and interest thereon as provided for in this act, the county court of said county, a majority of the justices of the peace, together with the county judge, being present and con-

curring therein may levy an ad velorem tax of not exceeding twenty-five cents on the one hundred dollars' worth of taxable property in said county, and a poll or capitation tax of not exceeding three dollars on each tithe-payer in the county per year, for such number of years as may be necessary to raise the amount of money authorized by this act.

§ 6. The tax herein provided for, shall be collected by the sheriff of said county at the same and in the same way as is now provided by law for the collection of the State revenue, and he shall receive the same compensation therefor; but before proceeding to collect the tax herein provided for, he shall execute bond with good and sufficient security, to be approved by the court, in the same way as is now provided for by law for the execution of bond for the collection of county levy.

§ 7. Said sheriff shall pay over the money so collected by him to such person or persons, and at such time as the court may direct, and he shall be under the same responsibilities and reliabilities as is now provided for by law in the collection of other public dues.

§ 8. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Smith, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. M. Pieratt,
W. F. Berry,	William Lindsay,	Chas. B. Poyntz,
Ben F. Bradley,	J. W. Martin,	B. F. Reynolds,
R. J. Breckinridge,	D. L. May,	J. H. Shearer,
Reuben Conner,	J. W. McCain,	D. H. Smith,
F. W. Darby,	John McCann,	G. Terry,
W. W. Dickerson,	J. J. Paul,	D. W. Wright—22.
T. L. Glenn,		

Those who voted in the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to further define the jurisdiction and powers of courts of equity in actions to quiet title to land,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Dickerson—

Ordered, That said bill be printed and recommitted to the Committee on Codes of Practice, with directions to report the same back to the Senate on Friday, March 21, 1890.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to amend title 9, chapter 2, subdivision 3, of Civil Code of Practice, title "Verdict,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Dickerson—

Ordered, That said bill be printed, and recommitted to the Committee on Codes of Practice.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Inter State Guarantee and Trust Company,

Reported the same, with the expression of opinion that said bill ought not to pass.

Which bill were read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Breckinridge—

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

Mr. Pieratt, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to compel the Kentucky Central Railway Company, and its assigns, to provide safety gates and to keep a watchman at the crossing of its road over the turnpike leading from Paris to Winchester, at Paris, Bourbon county ;

An act to amend an act, entitled "An act to incorporate the Larue County Deposit Bank," approved Febraary 16, 1888 ;

An act to punish certain trespassing in the counties of Bracken, Mason, Harrison, Grant, Scott, Robertson, Gallatin, Henderson, Montgomery, Hardin and Woodford ;

An act to prevent stock from running loose within the corporate limits of the town of Warsaw ;

An act to incorporate the Cumberland Railroad Company ;

An act to amend an act to incorporate the Madison County Fair Association ;

An act to charter an institution of learning by the name and style of the Edmonton High School, at Edmonton, Metcalfe county, Kentucky ;

An act to authorize the United Baptist Church, at Morganfield, Kentucky, to sell their church lot, and reinvest the proceeds of same ;

An act to change the Liberty Hall voting place in District No. 2, in Breckinridge county ;

An act making it unlawful for cattle to run at large upon that part of the turnpike road leading from Bardstown to Louisville, which lies between Bardstown and the toll-gate on said road nearest to Bardstown ;

An act to incorporate the Breckinridge County Fair Company ;

An act to amend the charter of the Washington County Stock and Agricultural Society ;

An act to incorporate the city of Paris ;

Resolution providing for the erection of a monument over the grave of Luke P. Blackburn, late Governor of Kentucky ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Barclay, Potter & Company ;

An act to prevent trespassing on lands in Madison county ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate

affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Pieratt reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees to whom they were referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to amend the charter of the Mechanics’ Savings Bank and Trust Company,” approved March 11, 1890.

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the city of Louisville in regard to the salary of the assessor of the city of Louisville.

By same—

An act to amend the charter of the city of Louisville in regard to the salary of the auditor of the city of Louisville.

By same—

An act to amend the charter of the city of Louisville in regard to the salary of the Treasurer of the city of Louisville.

By Mr. Paul, from the committee on Codes of Practice—

An act to amend the charter of the city of Somerset.

By Mr. Anderson, from the same committee—

An act to regulate the taking of depositions during any term of the Hardin Circuit Court.

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act, entitled “An act for the appointment of an official reporter in certain cases,” approved March 24, 1882.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Corydon and Princeton Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 11, article 1, of chapter 52, General Statutes,

Reported the same, without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 11, article 1, of chapter 52, of the General Statutes, be amended by adding thereto the words : *Provided*, That the permission of the county judge be sufficient to permit the clerk to issue license for the marriage of all indigent orphans who have no guardian.

§ 2. This act to take effect from its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gleen read and laid on the table the following joint resolution, viz :

WHEREAS, It appears that a scarcity of rooms for committees and public use prevails, and that a number of rooms belonging to the State, being a part of the Capitol buildings, are occupied by private individuals, being furnished with light and fuel at expense of the State. All such use and occupancy being contrary to public policy and the laws of this Commonwealth ; therefore,

Be it resolved, That a committee of five, to consist of two members of the Senate and three from the House, be appointed by the respective Speakers thereof, whose duty it shall be to inquire into the fact of such occupancy, and report such facts as may be secured by them relative to the matter hereinbefore stated. They may summon and compel attendance of witnesses, and compel them to testify when summoned, and they will make report herein on the following points, to-wit :

1. Number of rooms occupied by private individuals for private use, and length of time used.

2. Total number of rooms in Capitol buildings not occupied for public purposes, and how many can be used for committees.

3. Under what authority such occupancy has been held.

And said committee shall report as early as may be, and, if they deem it proper, may report a bill by which the use of such rooms may be secured to the State for public use.

This resolution to take effect from its adoption.

Which, under the rules, lie one day on the table.

Mr. Glenn moved that the rules be suspended, and that said resolution be taken up for consideration.

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Smith, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. J. Paul,	B. F. Reynolds,
Ben F. Bradley,	J. M. Pieratt,	D. H. Smith—7.
D. L. May,		

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	J. H. Shearer,
R. J. Breckinridge,	William Lindsay,	G. Terry,
Reuben Conner,	J. W. McCain,	J. S. Wortham,
F. W. Darby,	John McCann,	D. W. Wright—14.
W. W. Dickerson,	Charles B. Poyntz,	

Mr. Smith moved that when the Senate adjourns that it be until to-morrow at 10 o'clock A. M.

Mr. Breckinridge moved to lay said motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

R. J. Breckinridge, W. W. Dickerson, J. H. Shearer—3.

Those who voted in the negative, were—

W. H. Anderson,	John McCann,	B. F. Reynolds,
T. L. Glenn,	J. J. Paul,	D. H. Smith,
R. G. Hays,	Chas. B. Poyntz,	G. Terry—10.
D. L. May,		

Mr. Smith moved to reconsider the vote by which the Senate had refused to lay on the table the motion made by Mr. Smith, And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,

R. G. Hays—2.

Those who voted in the negative, were—

W. H. Anderson,

D. L. May,

J. H. Shearer,

Reuben Conner,

J. W. McCain,

D. H. Smith,

F. W. Darby,

Chas. B. Poyntz,

G. Terry—11.

William Lindsay,

B. F. Reynolds,

On motion of Mr. McCain, the Senate then adjourned.

WEDNESDAY, MARCH 19, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kinniconnick & Freestone Railroad Company.

That they had passed a bill, entitled

An act to declare the Right Fork of Greasy creek, in Johnson county, a navigable stream.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Propositions and Grievances.

On motion of Mr. Pieratt, leave of absence, indefinitely, was granted Mr. Hannah and the Door-keeper of the Senate, Mr. Read.

Mr. Newman moved to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act to repeal section 22, of article 5, of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

(For bill, see Senate Journal, March 15th, 1890.)

Mr. Wright moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hendrick and Conner, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	A. L. Peterman,
W. F. Berry,	G. W. Gates,	J. M. Pieratt,
Ben F. Bradley,	T. L. Glenn,	B. F. Reynolds,
R. J. Breckinridge,	William Goebel,	Phil Roberts,
B. F. Cockrell,	John K. Hendrick,	J. H. Shearer,
Reuben Conner,	William Lindsay,	J. S. Wortham,
F. W. Darby,	J. H. Lunsford,	D. W. Wright—23.
W. W. Dickerson,	D. L. May,	

Those who voted in the negative, were—

R. G. Hays,	Chas. Patteson,	C. B. Poyntz,
John McCann,	J. J. Paul,	D. H. Smith—7.
John P. Newman,		

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Goebel, from the Committee on Courts of Justice—

An act to repeal the charter of the town of Greenup, Greenup

county, and the acts amendatory thereto, and to re-incorporate said town.

By Mr. Hays, from the Committee on Banks and Insurance—
An act to incorporate the Ohio Valley Banking and Trust Company,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act creating a board of commissioners for Nicholas county.

Reported the same, with an amendment as a substitute therefor.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz :

An act to provide for electing a board of commissioners for the county of Nicholas, and defining their duties, power and liabilities.

Mr. Anderson withdrew the motion heretofere made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act regulating the punishment of offenses committed within this Commonwealth where the punishment is now a fine or imprisonment in the county jail, on both.

Mr. Glenn withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to re-enact chapter 94 of Private Acts, 1887-8.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend chapter 57, of the General Statutes, entitled "Injuries to Person or Property."

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That whenever the death of a person is caused by the wrongful act or negligence of another person or persons, company or companies, corporation or corporations, their agents or servants, and the act or negligence is such that the person whose death is so caused could have maintained an action and recovered damages therefor, if death had not ensued, then, and in every such case an action may be maintained and damages recovered for such death, although the death may have occurred under such circumstances as amount, in law, to a felony ; and, if the act was willful or the negligence gross, then punitive damages may be recovered, in addition to compensatory damages.

§ 2. Every such action shall be brought by and in the name of the personal representative of the deceased person ; but, if the personal representative fail for six months to bring such action, then the action may be brought by any person who would be entitled to any part or all of the amount recovered, and to such action, when brought by a person other than the personal representative, all persons who would be entitled to any part of the amount that may be recovered shall be made parties ; the amount recovered shall be exempt from the debts and liabilities of the deceased person. If the deceased person leave a surviving widow or husband and no lineal descendants, then the whole of the amount recovered shall, after the payment of the costs and expenses of the recovery and distribution, pass to such surviving widow or husband ; and, if there be such lineal descendants, but no surviving widow or husband, then the same shall pass to such lineal descendants, and be divided among them like other personal property left by persons dying intestate ; and, if there be both such surviving widow or husband and lineal descendants, then the same shall pass one-half to such surviving widow or husband and the other half to such lineal descendants ; and in all other cases such amount shall pass and be distributed like other personal property left by persons dying intestate.

§ 3. So much of chapter 57 of the General Statutes, or of any other act, as is in conflict with this act, is hereby repealed.

§ 4. This act shall be in force from its passage.

Mr. Lindsay proposed the following amendment as a substitute therefor :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1 and section 3, of chapter 57,

of the General Statutes, be, and they are each repealed, and in lieu of such repealed sections it is enacted: Whenever the life of a person shall be destroyed by the negligence of any person or persons, company or companies, corporation or corporations, their agents or servants, and the neglect is such as that the person injured (if death had not ensued) would have been entitled to maintain an action for damages, then in every such case the person, company or corporation, guilty of the negligence aforesaid, shall be liable to be sued for damages for the destruction of the life of the person whose death may have been caused thereby; such actions shall be subject to the same defences, and the damages recovered, if any, shall be ascertained upon the same principle, and according to like rules with those applicable in similar actions, where death does not ensue, and it shall be no defence to such an action that the act or negligence complained of was willful or felonious.

§ 2. Every such action shall be prosecuted in the name of the personal representative of the deceased, and for the benefit of his or her surviving wife or husband, descendants or parents, the amount recovered shall be divided between the surviving wife or husband and the lineal descendants of the deceased, including adopted children, one-half to the wife or husband, and the other to the descendants, who shall take *per stirpes*. If there be no such descendants, then the surviving wife or husband shall take the entire recovery. If there be no surviving wife or husband, then such descendants shall be entitled thereto. If there be no surviving wife or husband, or descendants, the parents of the deceased shall have the recovery equally; and, if one parent be dead, the other shall take the entire recovery. If there be no surviving wife or husband, descendants or parents, then to such the recovery shall inure to the benefit of such brothers, sisters, nephews or nieces, if any, who were actually dependent upon the deceased, and they shall take *per capita*. If there be no surviving wife or husband, descendant, parent, or dependent brother, sister, nephew or niece, then, in such case, there shall be no right of action under this statute.

Mr. Bradley moved that said bill and the proposed amendment thereto be recommitted to the Committee on General Statutes.

Mr. Darby moved as an amendment to said motion that the substitute proposed by Mr. Lindsay be printed, and together with the bill recommitted to the Committee on General Statutes, with leave to report at any time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Geobel and Breckinridge, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann,
Ben F. Bradley,	William Lindsay,	John P. Newman,
F. W. Darby,	J. H. Lunsford,	B. F. Reynolds,
Sam E. English,	D. L. May,	G. Terry—13.
G. W. Gates,		

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	Chas. B. Poyntz,
R. J. Breckinridge,	John K. Hendrick,	Phil Roberts,
B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	Chas. Patteson,	D. H. Smith,
W. W. Dickerson,	A. L. Peterman	J. S. Wortham,
T. L. Glenn,	J. M. Pieratt,	D. W. Wright—18.

Mr. Goebel moved to amend said bill as follows, viz :

Amend by adding to section 2: "But if there be no such person entitled to take under the statute of descent and distribution, then there shall be no recovery."

Mr. Smith moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Goebel to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the substitute proposed by Mr. Lindsay, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Newman, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	John McCann,
F. W. Darby,	William Lindsay,	John P. Newman,
Sam E. English.	J. H. Lunsford,	B. F. Reynolds—11.
G. W. Gates,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	Phil. Roberts,
R. J. Breckinridge,	J. W. McCain,	J. H. Shearer,
B. F. Cockrell,	Chas. Patteson,	D. H. Smith,

Reuben Conner,	J. J. Paul,	G. Terry,
W. W. Dickerson, ¹	A. L. Peterman,	J. S. Wortham,
T. L. Glenn,	J. M. Pieratt,	D. W. Wright—20.
William Goebel,	Chas. B. Poyntz,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
W. F. Berry,	John K. Hendrick,	J. M. Pieratt,
Ben F. Bradley,	William Lindsay,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	Phil Roberts,
Reuben Conner,	D. L. May,	J. H. Shearer,
F. W. Darby,	J. W. McCain,	D. H. Smith,
W. W. Dickerson,	John McCann,	G. Terry,
Sam E. English,	John P. Newman,	J. S. Wortham,
G. W. Gates,	Chas. Patteson,	D. W. Wright—32.
T. L. Glenn,	J. J. Paul,	

Those who voted in the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Goebel moved to reconsider the vote by which the Senate had passed said bill.

Mr. Goebel moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	J. W. McCain,	J. H. Shearer,

Reuben Conner,	John McCann,	D. H. Smith,
W. W. Dickerson,	John P. Newman,	J. S. Wortham,
G. W. Gates,	Chas. Patteson,	D. W. Wright—23.
T. L. Glenn,	J. J. Paul,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	Phil Roberts,
William Lindsay,	D. L. May,	G. Terry—6.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate and amend the laws of the town of Salyersville, Magoffin county;

An act to amend an act, entitled “An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life, insurance companies,” approved March 12, 1870;

An act to incorporate the Cartwright Spring Wagon Works;

An act to change and define the boundary line of Hayfield magisterial district, in the county of Campbell;

An act to amend an act, entitled “An act to incorporate the Lexington Hydraulic and Manufacturing Company,” approved February 27, 1882;

An act to change and fix the boundary line between the counties of Leslie and Perry;

An act to amend an act, entitled “An act to incorporate the town of Briensburg, in Marshall county;”

An act to amend an act, entitled “An act to incorporate the Farmers’ Mutual Aid Association, of Mason county, Kentucky,” approved January 26, 1882;

An act to organize and establish a system of public schools in Slaughtersville, Webster county, for white children;

An act to amend an act, entitled “An act to amend an act and reduce into one the several acts in relation to the city of Lebanon;”

And an enrolled bill, which originated in the Senate, of the following title, viz:

An act to secure the attendance of witnesses before the joint

committee appointed to investigate lotteries, conducted in this State, and prescribing punishments against witnesses for certain offenses ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Newman, from the Committee on Immigration and Labor, to whom was referred a joint resolution, which originated in the Senate, entitled

Resolution requesting the Senators and Representatives in Congress to aid in the passage of an act for the benefit of the heirs of Mrs. Catharine Moran,

Reported the same, without amendment.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Newman, from the Committee on Public Expenditures, to whom was referred leave to bring in a bill, entitled

An act for the benefit of G. T. Center, for improving a part of Red river and its tributaries,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Newman moved to reconsider the vote by which the Senate passed said bill.

Mr. Newman moved to lay that motion on the table,

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Wright—

1. A bill for the benefit of David Kirby, of Warren county.

On motion of same—

2. A bill to amend the charter of the Warren Deposit Bank.

On motion of same—

3. A bill to provide for the erection of gates or the placing of flagmen where steam railroads cross certain highways.

On motion of Mr. Anderson—

4. A bill, entitled "An act in relation to the town of Taylorsville."

On motion of Mr. Lunsford—

5. A bill to repeal an act, entitled "An act to amend an act, entitled 'An act to amend chapter 94, of the General Statutes,' " approved February 19, 1880.

On motion of Mr. Reynolds—

6. A bill to incorporate the Brusby Fork and Scrubgrass Turnpike Road Company, in Nicholas county.

On motion of same—

7. A bill to amend an act, entitled "An act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and to issue bonds for same,' " approved February 18, 1882.

On motion of Mr. Glenn—

8. A bill, entitled "An act for the benefit of S. M. Summers, of Carlisle county.

On motion of Mr. May—

9. A bill to amend chapter 1534, of the Laws of Kentucky, passed at the session of General Assembly of 1887-8, entitled "An act to amend and reform the common school laws of this Commonwealth."

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 8th ; the Committee on Banks and Insurance the 2d ; the Committee on Railroads the 3d ; the Committee on General Statutes the 4th ; the Committee on Internal Improvements the 5th ; the Committee on Agriculture and Manufactures the 6th ; the Committee on Executive Affairs the 7th, and the Committee on Education the 9th.

On motion of Mr. Smith, the Senate then adjourned.

THURSDAY, MARCH 20, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Ohio Valley Banking and Trust Company.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to provide for a registration of voters in the city of Maysville.

An act to protect game in Mason county, Kentucky.

An act to repeal an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1870.

An act to repeal an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and all amendatory acts thereto.

An act to repeal an act, entitled "An act for the benefit of the city schools in the town of Frankfort and for other purposes," approved February 1, 1838, granting a lottery for certain purposes, and to repeal all amendatory acts so far as they relate to said lottery.

An act to repeal so much of section 18, of an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869, as grants to the board of councilmen of the city of Frankfort, the same power and authority as granted to the managers in an act, entitled "An act for the benefit of the city schools of the town of Frankfort, and for other purposes," approved February 1, 1838, and to repeal all amendatory acts in relation to said grant.

An act to repeal an act, entitled "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815, and all amendatory acts in reference thereto.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Catlettsburg."

2. An act to amend an act to prohibit the sale of spirituous, vinous or malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay."

3. An act to incorporate a board of trustees of the executive board of the churches of the North Bend Association.

4. An act to prohibit the sale of spirituous, vinous and malt liquors in the town of Butler, Pendleton county.

5. An act to amend the charter of the Bardstown Female Academy.

6. An act authorizing a vote in Owen county in aid of a railroad.

7. An act to incorporate the Farmers' and Merchants' Bank, of Falmouth.

8. An act permitting the people of Owen county to vote upon the question of the sale of liquors in said county.

5. An act regulating the operation of street cars and street car lines and companies within the city of Covington and elsewhere.

10. An act to amend an act to incorporate the South Covington and Cincinnati Street Railway Company, approved January 25, 1876.

11. An act to incorporate Three Forks City, in Lee county.

12. An act to amend an act, entitled "An act to incorporate the Paris Electric Light Company, in Bourbon county," approved May 9, 1884.

13. An act to repeal an act, entitled "An act to amend and reduce into one the various acts in regard to Bardstown," approved March 2, 1888.

14. An act to amend an act, entitled "An act to incorporate the Louisville Car Trust Company."

15. An act to incorporate the Beattyville Trust Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d and 4th to the Committee on Religion and Morals; the 5th and 13th to the Committee on General Statutes; the 6th, 8th and 11th to the Committee on Propositions and Grievances; the 7th, 14th and 15th to the Committee on Banks and Insurance; the 9th and 10th to the Committee on the Judiciary, and the 12th to the Committee on Agriculture and Manufactures.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Goebel, from the Committee on Courts of Justice—

An act empowering the municipalities in Kenton county, to regulate the observance of Sunday therein.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Central Trust Company, of Owensboro.

By same—

An act to incorporate the Union Trust Company, of Maysville, Kentucky.

By same—

An act to amend an act, entitled ‘An act to incorporate the Winchester Vault and Trust Company, of Winchester, Kentucky.’

By same—

An act to amend an act to incorporate the Richmond Safety Vault and Trust Company.

By same—

An act to amend the charter of the Security Trust and Vault Company, of Lexington, Kentucky.

By same—

An act to incorporate the Middlesborough Bank, Loan and Trust Company,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees to whom they were referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend the charter of the Owensboro Safety Vault and Trust Company.

By same—

An act to incorporate the Cannon Creek Mining and Lumber Company.

By same—

An act to incorporate Mitchell, Finch & Co.'s Bank, of Maysville, Kentucky.

By same—

An act to incorporate the Nolin Investment Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Poyntz read and laid on the table the following resolution, viz :

Resolved by the Senate, That a committee of five Senators, to be appointed by the Speaker, be raised for the purpose of ascertaining what sum, per month, it costs the State to supply the Governor's mansion, State-house, Library, court-rooms and public offices with gas light.

And also to ascertain the exact sum it would cost the State to acquire any and all material essential to the establishment and proper maintenance—within the Penitentiary walls—of an electric plant of sufficient capacity to furnish all necessary and convenient lights for the Governor's mansion, State-house, Library, court-rooms, public offices, Penitentiary and Institute for the Education of the Feeble minded.

This resolution to take effect from its passage.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a rule of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	Chas. Patteson,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. M. Pieratt,
B. F. Cockrell,	John R. Kemp,	Chas. B. Poyntz,
Reuben Conner,	William Lindsay,	J. H. Shearer,
F. W. Darby,	J. W. Martin,	G. Terry,
W. W. Dickerson,	D. L. May,	J. S. Wortham.
Sam E. English,	J. W. McCain,	D. W. Wright—26.
G. W. Gates,	John McCann,	

A message was received from the House of Representatives asking leave to withdraw the announcement of their passage with an amendment, a bill which originated in the Senate, entitled

An act for the benefit of Monroe county,

Which was granted, and the bill was delivered to the messenger.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, March 19, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Joe F. Bosworth, Bell county.
S. J. Cates, Muhlenberg county.
James S. Carr, Jefferson county. .
H. G. Chase, Campbell county.
Jno. A. Dyche, Jackson county.
Nelson J. Edwards, Bell county.
Jas. T. Fisher, Bell county.
E. D. Guffy, Ohio county.
James Henry, Jefferson county.
J. H. Helsey, Muhlenberg county.
W. A. Kinney, Jefferson county.
Junius C. Klein, Jefferson county.
W. W. Morris, Jefferson county.

J. Lewis Patton, Bell county.
James Quarles, Jefferson county.
H. T. Talbott, Owen county.
Jno. P. Zelner, McCracken county.
A. S. Robertson, Jr., Boyle county.
F. M. Fulkerson, Boyd county.
W. C. Richardson, Boyd county.
Geo. C. Atkinson, Hopkins county.
Geo. E. Ryan, Wayne county.
J. M. Carlee, Carter county.
R. J. Warnock, Carter county.
J. Fred. Weiss, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to prevent trespassing on lands in Madison county.

An act for the benefit of Barclay, Potter & Company.

An act to declare Rock Lick creek, in Breckinridge county, a navigable stream.

An act to prohibit the running at large of stock in certain parts of Livingston county.

Mr. Hays, from the Committee on Banks and Insurance, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the inter-State Guarantee and Trust Company,

Reported the same, without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That Joshua D. Powers, Edmund T. Halsey, Daniel W. Lindsay, Roszal Weissinger and William Lindsay, and such other persons as they, or a majority of them, may associate with themselves, their successors and assigns, shall be, and they are hereby constituted and declared to be a body politic and corporate, by the name of "Inter-State Guarantee and Trust Company," and by said name may sue and be sued, plead and be pleaded, in any and all courts, and may have and

use a common seal, and alter and change the same at will. Said company is authorized to purchase, hold, enjoy, possess and dispose of any real estate or personal estate necessary for the transaction of its corporate business; and any such as may be mortgaged, or conveyed to it in good faith by way of security, for loans or other indebtedness of the mortgagers, and such other as shall be conveyed to it in satisfaction of any debts previously contracted in the course of its business, and such as it shall purchase at sales, upon judgments and decrees obtained for such debts; but all such real estate, except lands mortgaged or otherwise in lien to it, and such as shall be necessary for the convenient transaction of its business, shall be sold and disposed of within five years after the said corporation shall have acquired the legal title thereto.

§ 2. The said corporation may conduct its business in Louisville, Kentucky, or elsewhere, and shall have the following objects of business and powers:

1. It may purchase, discount, hold and dispose of notes, bonds, stocks and certificates of deposit, or other evidences of the indebtedness of any corporation or individual. It may guarantee the performance of contracts for the construction of works of public improvement, and, in such cases, if deemed necessary for its protection, with the consent of the contractors, may control and execute such contracts. It may make loans or advances upon such securities as it may approve, and take compensation therefore in the stock, bonds or notes of any other corporation or individual. It may guarantee the interest or principal, or both, of any securities, corporate or individual, and may receive therefor such compensation as may be agreed on at the time of such guaranty. It may receive moneys on deposit and pay interest thereon, and make investments on its own account, or on account of those depositing money with it for investment.

2. The said corporation may be appointed and may act as guardian of infants, as executor, administrator or committee of lunatics, as receiver, assignee or other trustee, whether appointed by deed, by last will and testament, by any court within this Commonwealth, or in any other manner not inconsistent with law. It may receive and hold in trust, estate, real and personal, including the notes, bonds, obligations and accounts of estates and individuals, of companies and corporations, private or public, and may, in its fiduciary capacity, purchase, collect, adjust and settle, sell and dispose of the same in this State and elsewhere. It may act as agent or attorney in the leasing, conveying and managing real and personal estate, receiving and collecting rents and other moneys, in the issuing and countersigning certificates of stock, bonds or other obligations of any corporation, association, municipality, State or public authority, and may receive and manage any sinking fund therefor, and may accept and execute all such trusts, of every

description, not inconsistent with the laws of this State, as may be committed to it by any person or persons, or by any corporation, or by any court of record in this or any other State. The capital stock of said company shall be taken and considered as the only security required by law for the faithful performance of its duties; and other securities shall not be required upon its appointment to any of the offices or duties mentioned herein, except as hereinafter provided. The capital stock of said company shall also be taken and accepted as the only surety or security required by law, on any bond or bonds, required or necessary to be executed by said company as guardian, committee of person or persons of unsound mind, in proceedings to sell the real property of persons under disability, as provided by the Civil Code of Practice, title 10, chapter 14, or as is now, or may hereafter be provided by law, or upon any other bond or bonds required or necessary to be executed by said company as guardian, trustee or otherwise, or upon any bond of indemnity, or other bond or bonds that may be required of said company in the course of any judicial proceeding, or in the prosecution of any remedy allowed by law to it in any of its fiducial capacities, except that this shall not apply to bonds for injunctions, attachments or like provisional remedies. But any court having authority to make or approve such appointments, or to take or approve such bonds, shall have power, before making or approving the same, and from time to time afterwards to examine the officers of the company under oath or affirmation, as to the security aforesaid, and require the production of such books as may be necessary; and, in cases in which the court shall deem it necessary for the protection of a particular trust fund or estate, or to the making of a sufficient indemnity, security, in addition to the capital stock of the company, may be required. The funds of the trust department of this corporation, should one be established, shall be invested in real estate, mortgage notes or bonds, or in such other interest-bearing or dividend-paying securities as are regarded by prudent business men as safe investments; and this corporation may make loans of such funds, with such securities as collateral, and this company may likewise invest such funds in such securities as are now, or may hereafter be authorized by law for trustees; provided that such funds shall not be loaned upon personal security alone, or be invested in the bonds or securities of any railroad or other corporation, unless such railroad or other corporation has been in operation more than five (5) years, and during that time has not defaulted in the payment of principal or interest on its bonded debt; nor in the bonds of a county, town or city that within ten years has defaulted in the payment of principal or interest on its bonded debt. The funds of the trust department shall be kept separate and apart from the other investments, and designated upon the books of the company as "Investments of Trust Capital," and said trust capital shall be specially and

primarily liable for the obligations of said company as executor, administrator, guardian, receiver, assignee or trustee, or in any other fiduciary capacity, and shall not be liable for any other debt or obligation of the company until all its trust liabilities as aforesaid have been discharged. In the exercise by said company of the powers hereby authorized, as guardian, executor, administrator, committee of lunatics, or any office or duty imposed by a court, said company shall be subject to the same duties and responsibilities, shall have the same powers, and shall receive the same compensation as may be fixed by law with relation to individuals holding similar offices of trust, except as otherwise herein specially provided. The exercise of the other powers and the performance of other duties by said company may be, as to compensation and otherwise, matters of contract with the parties interested.

3. Promissory notes, payable to any person or persons, or to a corporation, and payable and negotiable at the office of this company, or at any bank incorporated under any law of this Commonwealth, or organized in this Commonwealth under any law of the United States, which shall be indorsed to, or discounted by this company, or by any bank incorporated under any law of this Commonwealth, or organized in the Commonwealth under any law of the United States, shall be, and they are hereby placed on the same footing as foreign bills of exchange.

4. It may make, purchase, sell or lease locomotives, freight and passenger cars, and other equipments to be used on railroads, and may assign, set over, pledge or mortgage any such rolling stock, or any obligations received by it from any sale or lease of such rolling stock.

5. It may guarantee principal or interest, or both, of the bonds or notes of any railroad, or other corporation or individual. It may become bound as surety upon the sale of bonds taken by any court in this Commonwealth at any judicial sale. It may become bound and be accepted as the guarantor and surety against the unfaithfulness and dishonesty of persons holding positions of pecuniary trust and responsibility, whether public or private, and as surety or guarantor in the obligations or other contracts of any person or persons, or corporations, including any bonds or other evidences of liability required by law to be taken or approved by any person, officer or court in this State or elsewhere, except bonds in criminal proceedings. Any person, corporation, officer or court taking or accepting such company as surety in or upon any contract, bonds or other evidences of indebtedness, may agree with said company, and prescribe and limit the amount of its liability to such surety or guarantor.

6. It may issue its bonds and debentures on such terms and in such amounts as it may deem proper, and secure the same by a pledge or mortgage of any of its property or assets.

7. It may divide its business into such departments, and control the same by such officers and regulations as the by-laws may prescribe. It may do any act necessary to carry out its corporate powers, having the same power in such respects as a natural person.

§ 3. The capital stock of said company shall be \$100,000 (one hundred thousand dollars), divided into shares of \$100 (one hundred dollars) each. This stock shall be divided into two classes, as follows: The first class shall consist of one hundred shares, \$10,000, which shall be known as "founders' shares." The second class shall consist of nine hundred shares, \$90,000, which shall be known as "general shares." This company may begin active business as soon as the founders' shares, \$10,000, and as much as four hundred and fifty (450) of the general shares, \$45,000, have been subscribed and paid for in cash. The profits of the company shall be divided as follows: Out of any net profits made, the directors may, at any time or times, declare a dividend of six per cent. (6 per cent.), payable to the general shares, after which the profits remaining shall be divided equally, one-half to the holders of the founders' shares, and one-half to the holders of the general shares. The directors may provide, from time to time, with the consent of the holders, of a majority of the founders' shares, for a surplus fund, in advance of any dividend, which surplus fund, as well as any accumulated assets, shall, at all times, belong one-half to the holders of the founders' shares, and the other half to the holders of the general shares, subject to the liabilities of the company. The capital stock of the company may be increased by issuing general shares only, from time to time, to any amount agreed on by the stockholders at any meeting, not to exceed five million dollars, provided that an increase of stock ordered to be made shall be fully paid within one year from date of increase, and so much of said increase as shall not be paid within the time specified, shall become invalid. The incorporators above named may open stock-books for subscription to the stock of this company at such times and places, and for such length of time, as they may determine, and as soon as the founders' shares aforesaid have been subscribed, may organize this corporation; the above-named corporators shall act as directors until their successors are chosen and have qualified, and shall have power to fill any vacancies in their number, which may occur from any cause.

§ 4. The affairs and business of this corporation shall be managed by a board, of not less than five nor more than twenty-one directors, who shall be stockholders, and who shall be elected annually by the stockholders, and shall serve until their successors shall be elected and qualified. The board of directors shall have power to elect a president, vice president, secretary and treasurer, and such other officers and agents as they may deem necessary for conducting the business of the corporation,

and may prescribe their duties, and require any of them to give bond for the faithful performance of such duties. The board of directors shall have power to make, alter, repeal and amend all by-laws, rules and regulations deemed necessary for conducting the affairs of the company, not inconsistent with the laws of this State, subject to the power of the stockholders to make, alter, repeal and amend such by-laws. The by-laws shall provide for extraordinary and annual meetings of the stockholders, at which meetings each share-holder shall be entitled to one vote for every share of stock held by him, which may be cast in person or by written proxy. The by-laws may determine what number of directors shall constitute a quorum.

§ 5. It shall be lawful for this company, at any time, to change its corporate name and adopt another, but such change of name must be certified to the Secretary of State of this Commonwealth, under the corporate seal of the corporation, and it shall not take effect until such certificate is filed with the said Secretary.

§ 6. This act shall take effect and be in force from its passage, but shall become void and of no effect if the corporation herein and hereby created shall fail to organize and commence business within three years from and after the first day of July, 1890.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. M. Pieratt,
W. F. Berry,	John R. Kemp,	Chas. B. Poyntz,
Ben F. Bradley,	William Lindsay,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	Phil Roberts,
Reuben Conner,	James H. Mulligan,	D. H. Smith,
W. W. Dickerson,	John McCann,	J. S. Wortham,
Sam E. English,	Chas. Patteson,	D. W. Wright—22.
G. W. Gates,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that

the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Kinniconnick & Freestone Railroad Company ;

An act to amend the charter of Bethel College of Russellville ;

An act to incorporate and amend the laws for the town of Sharpsburg, Bath county ;

An act to incorporate the Norton University ;

An act to incorporate the Deposit Building and Loan Association, of Lexington ;

An act to incorporate the Pineville Street Railway Company ;

An act to fund the debt of Marion county ;

An act to prevent hogs from running at large in the county of Jefferson, and provide a penalty therefor ;

An act to authorize the Harlan County Court to issue and sell the bonds of said county, and provide for the payment of the same, for the purpose of building a new jail ;

An act for the benefit of Jas. Dennis Mocquot, of McCracken county ;

An act for the benefit of William H. Corbett, alias Hick Corbett, of McCracken county ;

An act to incorporate the Pleasant Grove Cemetery Company ;

An act for the benefit of J. W. Baird, of Simpson county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hendrick moved that the Public Printer be required to print and spread on the desks of the members 200 copies of the tabulated vote cast at the November election, 1888, for Congressmen.

And the question being taken thereon, it was decided in the affirmative.

By unanimous consent, Mr. Dickerson reported a bill, entitled

An act to regulate banks and banking associations and trust companies.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be unlawful for any bank, banking association or trust company incorporated under the laws of this State, and not organized and doing business at the passage of this act, to begin or engage in the business of banking or operating a trust company in this State, until each and every share of the original capital stock shall have been subscribed for in good faith, and at least fifty per cent. of each share of said stock shall have been paid up in actual money: *Provided*, That the stockholders may, by resolution adopted in due form before organization, reduce or fix the amount of its original capital stock authorized by its charter to any amount not less than twenty-five thousand dollars, which resolution shall be recorded in the office of the Secretary of State and the clerk of the county court of the county in which the bank is located or the business is to be transacted, within thirty days after its adoption.

§ 2. That all banks, banking associations and trust companies, incorporated under the laws of this State, which are duly organized and doing business at the date of the passage of this act, the whole of the capital stock of which has not been subscribed for, and at least fifty per cent. of said capital stock been actually paid in cash, are required to have each and every share of the original capital stock subscribed for in good faith, and at least fifty per cent. of every share paid up in lawful money of the United States within twelve months after the passage of this act: *Provided*, That the directors of said incorporated bank, banking association or trust company may, by resolution, duly adopted, fix the amount of the capital stock at an amount not less than twenty-five thousand dollars (which shall be considered the original authorized capital stock for the purposes of this act), and shall have said resolution recorded as required in the first section of this act.

§ 3. It shall be unlawful for any incorporated bank, banking association or trust company to receive, in payment of any capital stock subscribed for, anything except lawful money.

§ 4. That all banks, banking associations and trust companies chartered under the laws of this State are hereby required to

make a true statement of their condition, and publish the same once every six months in some newspaper circulated in the vicinity of the bank, and said statement shall be sworn to by the cashier or president of said bank, banking association or trust company.

§ 5. If the officers of any bank or banking association or company shall willfully or intentionally refuse or fail to comply with the provisions or requirements of this act, or shall willfully or intentionally make any false or untrue statement in regard to its business affairs or condition, for the purpose of deceiving any officers of said bank, banking association or trust company, or any person interested in the conduct and management of said bank, either as depositor, stockholder or patron thereof, he shall, upon indictment and conviction, be fined in any sum not exceeding one thousand dollars.

§ 6. That the provisions of this act shall apply to all charters of banks, banking associations or trust companies, passed at the present session, or that may be hereafter passed by the General Assembly of Kentucky, unless, by special and direct words in said charter, it is provided that it shall not apply, and all laws, general, local, special or private, in conflict herewith are hereby repealed.

§ 7. This act shall take effect and be in force from and after its passage.

Mr. Wright moved to amend said bill as follows, viz :

Amend by adding after the word "State" in the second line of the fourth section "and all private bankers or private banking associations or companies."

And the question being taken thereon, it was decided in the negative.

Mr. Darby moved to amend said bill as follows, viz :

Insert after section 3 the following as an additional section : "The board of directors of such banks and trust companies shall, at each meeting at which a dividend is declared, set aside at least ten per cent. of the net profits as a surplus fund, and shall continue so to do until such fund shall at least equal twenty per cent. of the capital stock. In case such surplus fund shall, by loss or otherwise, be reduced below the amount named, same shall, in manner aforesaid, be made up and maintained to at least said minimum."

And the question being taken thereon, it was decided in the negative.

Mr. Darby moved to amend said bill as follows, viz :

"Insert after the word 'transacted,' in line seventeen, section

1, the following words, 'in book kept for the recording of articles of incorporation.'"

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Anderson—

1. A bill, entitled "An act to amend the charter of the Bardstown Cemetery Company."

On motion of Mr. Cockrell—

2. A bill to incorporate the Lulbygnud turnpike road, in Montgomery county.

On motion of Mr. Smith—

3. A bill to incorporate the Nolin Investment Company.

On motion of Mr. Wright—

4. A bill creating a board of fence viewers.

On motion of Mr. McCann—

5. A bill to amend the charter of the Central Transfer Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Banks and Insurance the 3d; the Committee on the Judiciary the 4th, and the Committee on Courts of Justice the 5th.

Mr. Patteson, from the Committee on Claims, to whom was recommitted a bill which originated in the Senate, entitled

An act for the benefit of W. Carpenter, of Bullitt county,

Reported the same, without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

WHEREAS, W. Carpenter was appointed Branch Penitentiary Commissioner to build a Branch Penitentiary under an act of the Kentucky Legislature at or near Eddyville, Kentucky (see act). When the act was passed it was understood that the work

would be let out by contract, which, after properly advertising for bidders, one portion of the work was awarded to C. R. Mason & Co. and another portion of the work was awarded to Myer, Simmons & Co. They commenced the work, and soon discovered they had undertaken the work for less than they could do it without great loss to them. They put on the work a large force, with the expectation of forcing the work as speedily as possible. Commissioners were compelled to cancel their contracts, as the Auditor informed the commissioners that the State could not furnish more than four or five thousand dollars per month, when the contractors expected double that sum per month. On the failure of the State to furnish sufficient means to carry on said work, they compelled the commissioners to cancel the contracts. The commissioners had no other alternative but to either let the work again or undertake to do the work as best they could, which they undertook, with much labor and attention, neglecting their own work at their homes. The commissioners were required to give bond, each, and took the oath to well and truly perform their duties under the aforesaid act of Legislature to the best of their ability. They served from April, 1884, to April, 1888, four years, when the Legislature passed another act, relieving the three commissioners and making but one commissioner, which was given to General H. B. Lyon, one of the first-appointed commissioners, at a salary of twenty-four hundred dollars per annum; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That *twenty-five hundred dollars* be, and is hereby, appropriated to W. Carpenter for his services in superintending the aforesaid work for the time he served—four years—to be paid to said W. Carpenter out of any money in the Treasury not otherwise appropriated, and the Auditor is hereby authorized to draw his warrant on the Treasurer of Kentucky in favor of said W. Carpenter for the aforesaid sum of twenty-five hundred dollars for his said services.

§ 2. This act to be in force from its passage.

Mr. Hendrick moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Dickerson, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
R. J. Breckinridge,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	John R. Kemp,	C. B. Poyntz,

Reuben Conner,	William Lindsay,	J. H. Shearer,
F. W. Darby,	J. H. Lunsford,	G. Terry,
G. W. Gates,	D. L. May,	D. W. Wright—23.
T. L. Glenn,	J. W. McCain,	

Those who voted in the negative, were—

J. P. Huff,	B. F. Reynolds,	D. H. Smith,
J. J. Paul,	Phil Roberts,	J. S. Wortham—6.

Mr. Conner moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	J. W. McCain,
Ben F. Bradley,	R. G. Hays,	John McCann,
R. J. Breckinridge,	John R. Kemp,	Charles Patteson,
F. W. Darby,	William Lindsay,	D. H. Smith,
Sam E. English,	D. L. May,	D. W. Wright—15.

Those who voted in the negative, were—

B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	J. J. Paul,	J. H. Shearer,
Wm. Goebel,	J. M. Pieratt,	G. Terry,
John K. Hendrick,	Chas. B. Poyntz,	J. S. Wortham—16.
J. P. Huff,		

So said bill was rejected.

Mr. Dickerson moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Dickerson moved to lay that motion on the table.

Mr. Glenn moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

FRIDAY, MARCH 21, 1890.

The reading of the Journal of yesterday was dispensed with.

Leave was granted to bring in the following bills :

On motion of Mr. Wortham—

1. A bill to require each county of this Commonwealth to pay the expense of conveying its own pauper lunatics to the asylum.

On motion of Mr. McCain—

2. A bill to change the time of holding the Trimble Quarterly Court, and to regulate its jurisdiction thereof.

On motion of same—

3. A bill to incorporate Trimble Lodge No. 77, I. O. O. F.

On motion of Mr. Dickerson—

4. A bill in relation to lotteries and the distribution of prizes.

On motion of same—

5. A bill to create the office of Commissioner of Public Property and to define the duties thereof.

On motion of Mr. Paul—

6. A bill, entitled “An act to amend the charter of the Somerset Street Railway Company.”

On motion of Mr. Shearer—

7. A bill to authorize the county of Cumberland to subscribe aid to the Burksville and Northwestern Railroad Company.

On motion of Mr. Patteson—

8. A bill, entitled “An act for the benefit of Thos. E. Greene, clerk of the Taylor Circuit Court.”

On motion of Mr. Cockrell—

9. A bill to incorporate the Commerce Insurance Company of Mount Sterling.

On motion of same—

10. A bill to incorporate the Bank of Commerce of Mount Sterling.

On motion of same—

11. A bill to incorporate the Mount Sterling Natural Gas and Oil Company.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on Public Expenditures

the 2d and 3d ; the Special Committee on Lotteries the 4th ; the Committee on Library and Public Buildings the 5th ; the Committee on Railroads the 6th and 7th ; the Committee on Claims, and the Committee on Banks and Insurance the 9th, 10th and 11th.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the city of Middlesborough, in Bell county, Kentucky.

An act to incorporate the Newport Electric Street Railway Company.

An act to incorporate the Hamilton College Library Association.

An act for the benefit of Common School District No. 1, in Grayson county.

An act to extend the limits of the town of Winchester.

An act to amend section 4, article 6, of chapter 92, of the General Statutes.

An act for the benefit of School District No. 4, in Greenup county.

An act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county.

An act to compel the Kentucky Central Railway Company, and its assigns, to provide safety gates and to keep a watchman at the crossing of its road over the turnpike leading from Paris to Winchester, at Paris, Bourbon county.

An act to amend an act, entitled "An act to incorporate the Larue County Deposit Bank," approved February 16, 1888.

An act to prevent stock from running loose within the corporate limits of the town of Warsaw.

An act to incorporate the Cumberland Railroad Company.

An act to amend an act to incorporate the Madison County Fair Association.

An act to charter an institution of learning by the name and

style of the Edmonton High School, at Edmonton, Metcalfe county, Kentucky.

An act to authorize the United Baptist Church, at Morganfield, Kentucky, to sell their church lot, and reinvest the proceeds of same.

An act to change the Liberty Hall voting place in District No. 2, in Breckinridge county.

An act making it unlawful for cattle to run at large upon that part of the turnpike road leading from Bardstown to Louisville, which lies between Bardstown and the toll-gate on said road nearest to Bardstown.

An act to incorporate the Breckinridge County Fair Company ;

An act to amend the charter of the Washington County Stock and Agricultural Society.

An act to punish certain trespassing in the counties of Bracken, Mason, Harrison, Grant, Scott, Nicholas, Robertson, Gallatin, Henderson, Montgomery, Hardin and Woodford.

An act to incorporate the Cartwright Spring Wagon Works.

Resolution providing for the erection of a monument over the grave of Luke P. Blackburn, late Governor of Kentucky.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to prohibit the sale or spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider in Spurlington, Kentucky, or within three miles thereof in Taylor county."

An act to declare Lower Devil's Creek, in Wolfe county, Kentucky, navigable.

An act to prohibit the sale of spirituous, vinous or malt liquors or any mixture thereof, within two miles of the church-house of the United Baptist at Seventy-six, in Clinton county.

An act to incorporate the Harrod's Run Turnpike Road Company, in Boyle county.

An act to incorporate the Janes' Mill and Rocky Branch Turnpike Company, in Franklin county.

An act to create a turnpike road district in the Verona Magisterial District of Boone county, Kentucky, and to provide funds for the purpose of building turnpike roads in said district.

An act to repeal an act, entitled "An act providing for the election of a surveyor in the city of Louisville and in the county of Jefferson."

An act to prevent cattle or any kind of stock from running at large on the turnpike roads in Robertson county.

An act for the benefit of Monroe county.

An act to amend an act, entitled "An act to incorporate the town of Port Royal, in Henry county, and the amendment thereto."

An act to amend the charter of the West View Building Company, and to change its name.

An act to charter the Little Jordon Turnpike Road Company.

An act to incorporate the Jeffersontown and Seatonville Turnpike Road Company.

An act to amend the charter of the Cabin Creek Turnpike Road Company.

An act to create the office of commissioner of bonds for the city of Louisville.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to turnpike roads in Nicholas county, and appertaining thereto, and providing for a turnpike commissioner," approved February 29, 1888.

An act for the benefit of G. T. Center, for improving a part of Red river and its tributaries.

That they had passed bills, which originated in the Senate with amendments thereto, of the following titles, viz :

1. An act to prohibit the sale of spirituous, vinous and malt liquors in Garrard county.

2. An act making it unlawful for stock to run at large on certain turnpikes in Spencer county.

3. An act to amend an act, entitled "An act incorporating the Covington & Cincinnati Bridge Company," approved February 10, 1846.

Ordered, That they be referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on General Statutes, and the amendment to the last-named bill was taken up and concurred in.

That they had adopted a joint resolution and passed bills of the following titles, viz :

1. Resolution directing the Public Printer to print and bind various Constitutions for use of Constitutional Convention.

2. An act for the benefit of Mrs. D. Howard Smith, Mrs. W. C. Bullock and Thomas W. Scott.

3. An act to provide for constructing, improving and maintaining public roads and bridges in Christian county.

4. An act for cleaning out North Panther creek, in Daviess county.

5. An act declaring North Panther creek, in Daviess county, a navigable stream.

6. An act to prohibit the sale of spirituous, vinous or malt liquors within a radius of two miles of Mount Hebron Baptist Church, in the county of Garrard.

7. An act to regulate the sale of spirituous, vinous and malt liquors within three miles of Friendship Church, in Knox county, Kentucky.

8. An act to amend an act, entitled "An act to provide for removing obstruction in the water-courses of Colloway county," approved the eighth day of March, 1886.

9. An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

10. An act to incorporate the Bolion and Hopewell Turnpike Company.

11. An act to amend an act to provide for keeping certain turnpike roads in repair in Shelby county."

12. An act to establish a road district in Boone county.

13. An act to incorporate the Burlington and Normansville Turnpike Road Company.

14. An act to amend an act, entitled "An act to incorporate the Augusta and Berlin Turnpike Road Company, in Bracken county," approved March 16, 1869.

15. An act to incorporate the Old Alton and New Alton Turnpike Road Company, in Anderson county.

16. An act to amend the charter of the Louisville Turnpike Company.

17. An act to incorporate the Nicholasville and Bethel Turnpike Road Company.

18. An act to incorporate the East Fork Turnpike Road Company.

19. An act to provide for the repairing and keeping in repair the public roads of Rockcastle county.

20. An act to incorporate the Burlington and Union Turnpike Road Company.

21. An act to authorize the county court of Bell county to issue bonds for the purpose of raising money to build a bridge across the Cumberland river, at Pineville.

22. An act to authorize the Cynthiana and Millersburg Turnpike Company to collect toll on said road at the present gate.

23. An act to amend the Blue Run and Anderson's Ferry Turnpike Road Company, in Mason county, approved March 2, 1870.

24. An act for the benefit of the Springfield Turnpike Road Company, and the Walton's Lick Turnpike Road Company, in Washington county.

25. An act to amend an act, entitled "An act to incorporate the Cartwright's Creek, Bear Wallow and Manton Turnpike Road Company," in Washington county, and to authorize the Washington County Court to take stock in same.

26. An act to incorporate the Jackson Bridge Company.

27. An act to amend the charter of the Perryville and Mitchellsburg Turnpike Road Company.

28. An act to levy a tax and provide for the improvement of roads in Adair and Laurel counties.

29. An act to amend section 1, article 1, chapter 94, General Statutes.

30. An act to incorporate the Crescent Hill Presbyterian Church of Jefferson county.

31. An act for the benefit of the Rush Branch Turnpike Road Company.

32. An act for the benefit of the board of internal improvements for Lincoln county.

33. An act to amend and reduce into one the act incorporating the Marion and New Liberty Turnpike Road Company, in Owen county.

34. An act to amend an act, entitled "An act to incorporate the Steele's Turnpike Road Company," approved March 28, 1872.

35. An act to incorporate the Bell and Harlan County Turnpike Road Company.

36. An act prohibiting the sale, bartering or giving away of spirituous, vinous or malt liquors, ale, beer or cider within two miles of Oak Ridge Baptist Church, in Lewis county.

37. An act to incorporate the East Fork Turnpike Road Company, in Madison county.

38. An act regulating the making, altering and repairing county roads of Marion county.

39. An act to prohibit the sale of spirituous, vinous or malt liquors or fermented or hard cider in the Henderson District of Washington county.

40. An act to amend the Warsaw and Sparta Turnpike Company.

41. An act to amend the charter of the Allensville Turnpike Road Company.

42. An act to amend an act, entitled "An act to charter the Lowell and Spoonville Turnpike Road Company."

43. An act to incorporate the Camp Creek, Oakland, Flat Run and Townsville Turnpike Road Company, in Bracken county.

44. An act to regulate the sale of any vinous, spirituous or malt liquors or any mixture thereof, within the town of Hindman, Knott county, or within the corporate limits of said town.

45. An act in relation to landlords and tenants in the city of Covington.

46. An act to amend an act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daviess county, Kentucky.

47. An act to amend an act, entitled "An act to charter the Vanceburg, Salt Lick, Tollesboro and Maysville Turnpike Road Company."

48. An act to amend an act, entitled "An act to amend an act incorporating the Lancaster and Sugar Creek Turnpike Road Company."

49. An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large in said road.

50. An act to incorporate the Camdensville and Johnsonville Turnpike Road Company, in Anderson county.

51. An act to incorporate the Avenstoke and Wilson Creek Turnpike Road Company.

52. An act to incorporate the Wallace Mill Turnpike Road Company.

53. An act to incorporate the Silver Creek, Scaffold Cave and Mt. Vernon Turnpike Company.

54. An act to authorize the county of Henderson to purchase the gravel roads now constructed in said county, and to extend and maintain said gravel roads, and to construct and maintain others.

55. An act to charter the Liberty and Posey's Creek Turnpike Road Company, in Casey county.

56. An act to incorporate the Liberty and Rolling Fork Turnpike Road Company, in Casey county.

57. An act for the benefit of the Lawrenceburg and Camdensville Turnpike Road Company No. 2, in Anderson county.

58. An act in relation to roads and bridges, in Calloway county.

59. An act to amend the acts incorporating the town of Paintsville.

60. An act to organize and establish a system of public graded schools in Lancaster, Kentucky.

61. An act to amend an act, entitled "An act to incorporate the Flemingsburg and Upper Fox Springs Turnpike, in Fleming county.

62. An act to amend article 1, chapter 94, General Statutes, title "Roads and Passways," and to establish road-tax districts and authorize the levy of a district road-tax in certain counties of this Commonwealth.

63. An act relieving Warner Washington Jesse, of Shelby county, from disabilities of infancy, except in voting.

64. An act to amend an act, entitled "An act to incorporate the Belle Grove Springs and Blue Bank Turnpike Road, in Fleming county," approved February 27, 1865.

65. An act authorizing certain Kentucky corporations to consolidate with similar corporations authorized by other States to erect bridges across the Ohio river.

66. An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in Woodford county,

which became a law April 21, 1888, and the Acts amendatory thereof," approved April 27, 1888.

67. An act to incorporate the city of Pineville, Bell county.

68. An act to amend an act, entitled "An act to establish a system of common schools for the town of Beech Grove, McLean county," approved April 22, 1882.

69. An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

70. An act to amend an act, entitled "An act to authorize Fayette county to subscribe for stock in the Kentucky Union Railway Company, and issue bonds in payment thereof," which became a law March 28, 1888.

Which bills and resolutions were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Printing; the 2d to the Committee on Claims; the 3d, 4th, 5th, 8th, 9th, 10th, 11th, 16th, 17th, 18th, 19th, 21st, 23d, 24th, 25th, 26th, 28th, 30th, 34th, 35th, 37th, 38th, 43d, 52d, 53d, 61st, 64th and 65th to the Committee on Internal Improvements; the 6th, 7th, 36th, 39th, 44th, 59th and 66th to the Committee on Religion and Morals; the 12th, 13th, 14th, 20th, 33d and 40th to the Committee on Propositions and Grievances; the 15th, 27th, 31st, 32d, 42d, 48th, 50th, 51st, 55th, 56th, 57th and 58th to the Committee on the Judiciary; the 22d, 47th and 49th to the Committee on Agriculture and Manufactures; the 29th, 41st, 62d and 63d to the Committee on General Statutes; the 45th and 46th to the Committee on Courts of Justice; the 54th and 67th to the Committee on Federal Relations; the 60th to the Committee on Education, and the 68th, 69th and the 70th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees to whom they were referred, viz :

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the Central Transfer Company.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of B. T. Sechrist, of Grant county.

By same—

An act for the benefit of Squire Hogg, sheriff of Rowan county.

By Mr. Terry, from the Committee on General Statutes—

An act for the better regulations of public roads and the working of same in Todd county.

By same—

An act to amend the turnpike law of Trimble county.

By Mr. Anderson, from the same committee—

An act in relation to the town of Taylorsville.

By same—

An act to amend chapter 291 of the Session Acts of 1867-8, so far as it applies to Shelby county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act declaring certain portion of Green river, in Green county, a lawful fence.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of J. F. Lowe.

By same—

An act to repeal an act, entitled "An act for the benefit of the

tax-payers of Lyon county," approved February 6, 1878, and also to repeal an act amendatory thereof, approved April 2, 1880.

By same—

An act for the benefit of the sureties of J. C. Holloway, late sheriff of Lyon county.

By same—

An act to incorporate and consolidate the Lebanon Electric Light Company and the Lebanon Artificial Ice Company under the name of the Lebanon Electric Light and Ice Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' and Merchants' Bank, of Falmouth.

By Mr. Patteson, from the Committee on Courts of Justice—

An act to regulate the civil jurisdiction of the police court, of the town of Springfield, Washington county.

By same—

An act to authorize the Washington County Court to levy an ad valorem tax for county purposes.

By same—

An act to legalize the order of the Washington County Court entered at its October term, 1889, levying an ad valorem tax of ten cents on each one hundred dollars of the taxable property of said county.

By same—

An act for the benefit of Washington county.

By same—

An act for the benefit of Washington county, by which the Washington County Court is authorized to lease the turnpike roads in said county, purchase the stock of any stockholder in any turnpike company, and manage and control said turnpikes, and make the same free from travel.

By same—

An act for the benefit of Washington county, by which said county is authorized to fund its outstanding railroad debt.

By Mr. Wortham, from the Committee on General Statutes—

An act to authorize the city of Cloverport to refund its school-house indebtedness.

By Mr. Terry, from the same committee—

An act to amend an act, entitled "An act to amend an act,

entitled 'An act to empower Logan county to retire the bonded indebtedness of the county at or before maturity, to create a sinking fund for that purpose, to provide for commissioners of the sinking fund and collectors of taxes levied, and to provide for the duties and powers of said officers.'"

By Mr. McCann, from the same committee—

An act to amend the charter of the Kentucky and Indiana Bridge Company.

By Mr. Anderson, from the same committee—

An act to amend the charter of the Bardstown Female Academy.

By same—

An act providing for the appointment of a sealer of weights and inspector of stock and grain scales in Shelby county, and to legalize the appointment of such officer heretofore made by the Shelby County Court.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wortham moved the following resolution, viz :

Resolved, That the Committee on the Judiciary be requested to make the necessary inquiries and report to the Senate, as early as practicable, whether any of the public moneys of Kentucky under the control of the Treasurer are, or have been deposited in any bank or banks other than banks chartered by or subject to the supervision and control of the General Assembly of this Commonwealth, and whether under existing statutes, any other than State banks can be lawfully used as depositories of the public moneys.

Which was twice read and adopted.

Mr. Dickerson moved the following resolution, viz :

Resolved by the Senate, That the Auditor is requested to furnish to the Senate a statement showing the amount of money that has been paid by the State to Messrs. Thomas, Lyons and Carpenter, as commissioners of the Eddyville penitentiary for mileage and expenses.

Which was twice read and adopted.

Mr. Darby, from the Committee on Codes of Practice, to whom was recommitted a bill, entitled

An act to further define the jurisdiction and powers of courts of equity in actions to quiet title to land,

Reported the same, without amendment.

On motion of Mr. Darby—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Tuesday next, March 25th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other, except life insurance companies," approved March 12, 1870,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That the further consideration of said bill be postponed, and that said bill be recommitted to the Committee on Banks and Insurance.

By unanimous consent the rules were suspended, and Mr. Glenn reported a bill, entitled

An act to enable W. H. Hook, a justice of the peace for McCracken county, to appoint a clerk for his court.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz :

An act to amend an act, entitled "An act to authorize Fayette county to subscribe for stock in the Kentucky Union Railway Company, and issue bonds in payment thereof, which became a law March 28, 1888 ;

And had found the same correctly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John Ketchum,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Pauline Ketchum was by a verdict of a jury and judgment of the Breathitt County Court adjudged to be a lunatic, and that she was in pursuance thereof sent to the Eastern Kentucky Lunatic Asylum, as a pauper lunatic, and that she remained there until the first of September, 1884, at which time she was discharged from said asylum as a harmless, incurable lunatic, and was, at said time, placed in the hands of her committee, John Ketchum, by order of the judge of the Breathitt County Court ; and that said John Ketchum took charge of her, and kept, and maintained and supported her as required by law, until the nineteenth day of May, 1886, at which time she died, being in the same condition of mind during all the time from the first day of September, 1884, up to her death, May 19, 1886 ; and whereas, the claim of said John Ketchum was, at the June term, 1887, of the Breathitt Circuit Court, allowed by said court to draw on the Auditor of Public Accounts for keeping said Pauline Ketchum, at the rate of seventy-five dollars per annum, from the first day of September, 1884, until her death, on the nineteenth day of May, 1886, and the additional sum of ten dollars for burial expenses, which was certified to the Auditor for payment ; and whereas, the Auditor did not pay

said claims because the order of the county judge did not authorize him to pay said claim ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of this Commonwealth, in favor of said John Ketchum, for a sum sufficient to pay him for keeping and maintaining said lunatic, at the rate of seventy-five dollars per annum, from the first day of September, 1884, until the nineteenth day of May, 1886, and ten dollars additional for burial expenses.

§ 2. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for want of the constitutional majority.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
F. W. Darby,	John R. Kemp,	J. M. Pieratt,
Sam E. Engilsh,	J. W. Martin,	D. W. Wright—14.
G. W. Gates,	John McCann,	

Those who voted in the negative, were—

W. F. Berry,	Reuben Conner,	J. W. McCain,
B. F. Cockrell,	T. L. Glenn,	J. S. Wortham—6.

So said bill was disagreed to.

Mr. Glenn moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act to allow the Auditor of Public Accounts \$2,700 per annum as an additional appropriation for clerk hire,

Reported the same, without an expression of opinion,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky : § 1. That in addition to the sum now appropriated annually for clerk hire, in the office of the Auditor of Public Accounts, the further sum of \$2,700 per annum is hereby appropriated and set apart for that purpose.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. McCain,	D. H. Smith,
G. W. Gates,	John McCann,	J. S. Wortham,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—20.
R. G. Hays,	J. J. Paul,	

Those who voted in the negative, were—

W. F. Berry,	J. W. Martin,	J. H. Shearer,
B. F. Cockrell,	D. L. May,	G. Terry—7.
Reuben Conner,		

Resolved, That the title of said bill be as aforesaid.

Mr. Poyntz moved to reconsider the vote by which the Senate had passed said bill.

Mr. Poyntz moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of George T. Simonds, of Maysville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

WHEREAS, George T. Simonds, on the fifteenth day of September, 1888, paid his State tax and obtained a license to sell spirituous, vinous and malt liquors for twelve months from said date, said State tax being one hundred and fifty dollars; and whereas, within five days from the fifteenth of September, 1888, he sold his tavern to one George Collier, who at once made application and obtained a license on the first day of October, 1888, and on said day paid his State tax of one hundred and fifty dollars for the privilege of selling spirituous, vinous and malt liquors, for one year, at the same place; and whereas, he, the said George T. Simonds, only enjoyed the privilege granted him for a period of four days, and it was only fifteen days from the time his license was granted until time Collier's license was granted, and that, therefore, there was eleven months and fifteen days' license paid for, and for which the said Simonds received no benefit; and whereas, under the law said license could not be assigned, transferred or sold; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasury for the sum of \$143.75 in favor of George T. Simonds to reimburse him for the eleven months and fifteen days, during which he did not exercise his privilege by reason of the sale set out in the preamble.

§ 2. That this act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	Jno. P. Newman,
W. F. Berry,	Wm. Goebel,	Charles Patteson,
Ben F. Bradley,	R. G. Hays,	J. J. Paul,
B. F. Cockrell,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	J. S. Wortham—23.
G. W. Gates,	John McCann,	

Those who voted in the negative, were—

John R. Kemp,	J. W. Martin,	G. Terry—5.
J. H. Lunsford,	J. H. Shearer,	

Resolved, That the title of said bill be as aforesaid.

Mr. Terry, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act, entitled "An act to amend section 8, article 4, chapter 12, of the General Statutes of Kentucky.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 8, article 4, chapter 12, of the General Statutes of Kentucky be, and the same is amended, by adding thereto the following words: But a defendant in any criminal case, which has been changed to another county, may, upon motion made at any time before the final trial of the case, have the case remanded to the county from which it was removed, after having first given the Commonwealth's Attorney, or if he is absent from the county, the County Attorney, reasonable notice, in writing, of such motion, when a case is remanded, the defendant and all the records in the case shall be transferred back to the original county from which it was removed, according to the provisions of the now existing law for the transfer of defendants and the records, upon a change of venue in criminal cases.

§ 2. This act to take effect from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Wright, from the Committee on General Statutes, to which was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank of Eminence, Kentucky, approved May 12, 1886, empowering said bank to act as Trust and Safety Vault Company,

Reported the same, without amendment.

On motion of Mr. Wright—

Ordered, That said bill be recommitted to the Committee on Banks and Insurance.

Mr. English, from the Committee on Internal Improvements, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the Cumberland Improvement Company,

Reported the same, without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives of a bill, which originated in the Senate, entitled

An act to authorize and empower the Wolfe County Court to levy and collect an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house.

Which was granted, and the bill delivered to the messenger.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend article 1, of chapter 47, of General Statutes, entitled "Gaming."

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 24, of article 1, of chapter 47, of the General Statutes is hereby repealed, and in lieu thereof the following is substituted, to-wit: If any person or persons shall engage in any hazard or game in which money or property is bet, won or lost, such person or persons shall be subject to a fine of not less than twenty nor more than one hundred dollars.

§ 2. That this act shall take effect from and be in force from and after its passage.

Mr. Hays moved to amend said bill as follows, viz :

"The provisions of this act shall not apply to the county of Jefferson."

Mr. May moved that the further consideration of said bill and proposed amendment be indefinitely postponed.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and Shearer, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	Sam E. English,	D. L. May,
Ben F. Bradley,	R. G. Hays,	J. J. Paul—7.
F. W. Darby,		

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	J. W. McCain,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham,
John K. Hendrick,	A. L. Peterman,	D. W. Wright—20.
John R. Kemp,	J. M. Pieratt,	

Mr. Wortham moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Hays to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hays and Dickerson, were as follows, viz:

Those who voted in the affirmative, were—

J. W. McCain,	J. M. Pieratt,	C. B. Poyntz—4.
Chas. Patteson,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. H. Shearer,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	J. W. Martin,	G. Terry,
G. W. Gates,	D. L. May,	J. S. Wortham,
T. L. Glenn,	J. J. Paul,	D. W. Wright—19.
John K. Hendrick,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Wortham, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. H. Shearer,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
Reuben Conner,	J. H. Lunsford,	G. Terry,
W. W. Dickerson,	J. W. Martin,	J. S. Wortham,
G. W. Gates,	J. M. Pieratt,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	William Lindsay,	J. J. Paul,
F. W. Darby,	D. L. May,	A. L. Peterman,
Sam E. English,	J. W. McCain,	Chas. B. Poyntz—14.
R. G. Hays,	John McCann,	

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

SATURDAY, MARCH 22, 1890.

The Speaker of the Senate being absent, at his request Mr. Peterman took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend, digest and reduce into one all the acts and laws in relation to the town of Barbourville.

That they had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the Owensboro Safety Vault and Trust Company.

That they had passed bills, which originated in the Senate with amendments thereto, of the following titles, viz :

An act to incorporate the Kentucky Soldiers Home.

An act to authorize and empower the Wolfe County Court to levy an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house.

Ordered, That said bills be referred to the Committee on Courts of Justice.

That they had passed bills of the following titles, viz :

1. An act to authorize the printing of a roster of the officers and soldiers from Kentucky in the war of 1812-15.

2. An act to authorize the county court of Fayette county to obtain by purchase or lease turnpike roads in said county, and maintain them free of toll from the traveling public.

3. An act to amend an act to incorporate the town of Lockport, in Henry county, approved March 9, 1854, and amendments thereto.

4. An act to amend an act to incorporate the town of Pleasureville, in Henry county, approved 22d March, 1871, and to enlarge and define the boundary of said town and establish a police court therein.

5. An act to incorporate St. Matthews Evangelical Church, of Louisville.

6. An act in relation to the Sinking Fund, and the transferring of same to the General Expenditure Fund.

7. An act to authorize the procuring of copies of the muster rolls of the several military organizations from Kentucky in the Confederate army, and for their preservation when obtained.

8. An act to incorporate the Persimmon Grove and Grant's Lick Turnpike Road Company.

9. An act to authorize the county court of Casey county to take stock in turnpike roads and for other purposes.

10. An act to incorporate a turnpike road in Franklin county, from a point on the Frankfort and Lawrenceburg Turnpike Road between the lands of I. N. Blakemore and sisters to a point on the Harrodsburg and Louisville Turnpike Road near Edward Thomas.

11. An act to amend an act, entitled "An act to authorize the Lincoln County Court to take stock in certain turnpike road companies."

12. An act to amend an act, entitled "An act to incorporate the Bellow's Mill Turnpike Road Company, in Mercer county," approved May 5, 1880.

13. An act to amend an act, entitled "An act to incorporate the Sugar Creek and Watt's Mill Turnpike Road Company."

14. An act to authorize a certain portion of Jessamine county to subscribe to the capital stock of the East Hickman and Jessamine County Turnpike Company, and to provide for the payment of the same.

15. An act providing for the levy and collection of an annual tax in Breckinridge county for the improvement of public highways in said county.

16. An act to amend an act, entitled "An act to create a board of commissioners for Magoffin county, and prescribe their duties and powers," approved March 24, 1888.

17. An act to incorporate the Grant's Lick and Old State Road Turnpike Road Company, in Campbell county.

18. An act to establish a road law for Floyd county.

19. An act to provide a road law for Johnson county.

20. An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county, approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds and levy and collect taxes to pay the same.

21. An act to allow the Marshall County Court of Claims to levy an ad valorem tax for general county purposes.

22. An act to amend chapter 27, article 2, section 1, General Statutes, titled "County Levy."

23. An act prohibiting the charging of certain persons toll on turnpike roads in Woodford county, Kentucky.

24. An act to amend and reduce into one the several acts in

relation to the Shelby County Court, levying a tax for turnpike purposes and issuing bonds for the benefit of turnpike roads.

25. An act to prevent drunkenness at places of worship and schools in certain counties in this Commonwealth.

26. An act to regulate the working and laying out public roads in Clinton county, Kentucky.

27. An act to incorporate the Big Sandy Turnpike Company.

28. An act to authorize the city of Hawesville to compel lot-owners to pave and to provide a fund to gravel or macadamize certain streets.

29. An act to declare Bull creek, in Leslie county, a navigable stream.

30. An act to declare Leatherwood creek, in Perry county, a navigable stream.

31. An act to amend an act, entitled "An act to incorporate the Townsend Branch Turnpike Road Company, in Bourbon county," approved April 6, 1882.

32. An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

33. An act to charter the Mortonville and Clear Creek Turnpike Road Company, in Woodford county.

34. An act to incorporate Clay City, in Powell county.

35. An act to incorporate the Greensburg, Summersville and Caney Fork Turnpike and Bridge Company, in Green county, Kentucky.

36. An act to authorize the county court of claims of Jefferson county to increase their county levy.

37. An act to prohibit the use of whisky in Todd county on elections.

38. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to roads and bridges in Union county."

39. An act for the benefit of E. C. Flanary, late sheriff of Crittendon county, Kentucky.

40. An act to amend an act, entitled "An act to incorporate the Carrollton and Prestonsville Bridge Company."

41. An act for the benefit of J. P. Pierce, late sheriff of Crittenden county, Kentucky.

42. An act for the benefit of Common School District No. 23, in Livingston county, Kentucky.

43. An act to amend an act, entitled "An act to incorporate the town of Sacramento, in McLean county," approved March 1, 1860.

44. An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Bracken county.

45. An act to amend an act to authorize the city of Lexington to subscribe for stock in the Kentucky Union Railway Company, and issue bonds in payment thereof, approved April 21, 1888.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 7th to the Committee on Military Affairs; the 2d, 9th, 10th, 11th, 12th, 20th, 21st, 34th, 35th, 39th and 41st to the Committee on the Judiciary; the 3d, 4th, 15th, 16th, 22d, 24th, 28th and 37th to the Committee on General Statutes; the 5th to the Committee on Library, Public Buildings and Offices; the 6th to the Committee on the Sinking Fund; the 8th, 13th, 14th, 17th, 18th, 19th, 23d, 26th, 27th, 32d and 33d to the Committee on Internal Improvements; the 25th and 42d to the Committee on Education; the 29th and 30th to the Committee on Propositions and Grievances; the 31st to the Committee on Agriculture and Manufactures; the 36th and 43d to the Committee on Courts of Justice; the 38th to the Committee on Federal Relations; the 40th to the Committee on Codes of Practice; the 44th to the Committee on Privileges and Elections, and the 45th named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Mr. McCann moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act to amend the charter of the Louisville Turnpike Company.

By same—

An act to amend an act to provide for keeping certain turnpike roads in repair in Shelby county.

By same—

An act to incorporate the Crescent Hill Presbyterian Church, Jefferson county.

By same—

An act to authorize the board of trustees of London, Kentucky, to issue bonds to raise money to macadamize the streets, and to provide street lamps for said town.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to incorporate the Farmers' and Laborers' Union of Kentucky.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to make provision for establishment of water-works in the city of Stanford, and authorize city council of the city of Stanford to issue bonds to aid in the establishment of water-works for said city, and to provide for the payment of the principal and interest of said bonds.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the North Middleton Chapter No. 26, R. A. M., at North Middletown, Bourbon county.

By same—

An act to incorporate the Washington Lodge No. 79, F. & A. M., at North, Middletown, Bourbon county.

By Mr. English, from the Committee on Internal Improvements—

An act authorizing certain Kentucky corporations to consolidate with similar corporations authorized by other States to erect bridges across the Ohio river.

By same—

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hendrick moved that the session of the Senate be extended for the day until the committees are called.³

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	Chas. B. Poyntz,
Sam E. English.	D. L. May,	J. H. Shearer,
G. W. Gates,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	D. W. Wright—19.
R. G. Hays,		

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	Phil Roberts—3.
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Bills of the following titles were reported from the several committees to whom they were referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Shadwick's Ferry Turnpike Company.

By same—

An act to repeal an act, entitled "An act to incorporate the Parksville Turnpike Company."

By same—

An act to repeal an act to amend the charter of the Danville and Hustonville Turnpike Road Company.

By same—

An act to incorporate the Green River Land, Development, Manufacturing and Mining Company.

By same—

An act to incorporate the Wilderness Road Turnpike Company.

By same—

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend chapter 94 of the General Statutes,' " approved February 19, 1880.

By same—

An act to incorporate the Campton and Hazel Green Turnpike Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to amend an act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 10, 11 and 12 of the act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880, be, and the same are hereby, repealed, except as hereinafter provided, and the following sections are substituted in lieu thereof, and to be numbered respectively as the former sections, to wit:

§ 10. Each grain warehouseman shall, on every Tuesday, post in his office a statement of the amount of each kind and grade of grain on store in his warehouse at the close of business hours of the preceeding Saturday, and a statement of the receipts and deliveries, and of the issue and cancellation of receipts of the week ending with such Saturday.

§ 11. Each grain warehouseman may appoint an inspector and weigher for his warehouse, who shall file a bond in the county clerk's office with good sureties, to be approved by the court, conditioned for the faithful performance of his duty as such inspector and weigher, on which bond suit may be brought by any person injured by the violation of such duties ; but any warehouseman may become and be his own inspector and weigher, in which event his bond as warehouseman shall embrace a condition for the faithful performance of his duties not only as a warehouseman, but also as inspector and weigher, and any person injured by any violation of any such duties shall likewise have the right to sue upon said bond.

§ 12. Every such warehouseman shall, on the first Monday in each month, publish his rates of storage and charges for inspection, weighings, receipts and deliveries by posting them in his office, but as to any grain previously receipted in said warehouse, no subsequent charge or rates of charges shall apply.

§ 2. This act shall be in force from and after its passage, but shall not apply to warehouses within the corporate limits of the city of Louisville.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act regulating the punishment of offenses committed within this Commonwealth, where the punishment is now a fine or imprisonment in the county jail, or both ;

An act to incorporate the Ohio Valley Banking and Trust Company ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to protect game in Mason county, Kentucky ;

An act to incorporate the Owensboro Fire Insurance Company, of Owensboro ;

An act to regulate the licensing of the sale of spirituous, vinous and malt liquors in the city of Carlisle ;

An act to repeal an act, entitled "An act for the benefit of the city schools in the town of Frankfort and for other purposes," approved February 1, 1838, granting a lottery for certain purposes, and to repeal all amendatory acts in so far as they relate to said lottery ;

An act to amend an act, entitled "An act to authorize the county of Spencer to refund its bonded indebtedness," approved February 15, 1888 ;

An act to repeal an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1850 ;

An act to repeal an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and all amendatory acts thereto ;

An act amending an act incorporating the Maysville Manufacturing Association ;

An act to repeal so much of section 18, of an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869, as grants to the board of councilmen of the city of Frankfort, the same power and authority as granted to the managers in an act, entitled "An act for the benefit of the city schools of the town of Frankfort, and for other purposes," approved February 1, 1838, and to repeal all amendatory acts in relation to said grant ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of

Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Fisher's Mill Turnpike Road Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a second time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be unlawful for the board of directors of the Fisher's Mill Turnpike Road Company to erect a toll-gate for the collection of tolls upon that portion of their road which lies in Woodford county, and collect toll at said gate at the same rate which they are now allowed by law to charge on that portion of their road lying in Scott county, Kentucky, the sole purpose of this act being to allow the collection of tolls at both ends of said road, the same not being five miles long.

§ 2. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
W. F. Berry,	John R. Kemp,	Chas. B. Poyntz,
Ben F. Bradley,	J. H. Lunsford,	Phil Roberts,
Sam E. English,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	J. W. McCain,	G. Terry,

T. L. Glenn,
R. G. Hays,
J. B. Hannah,

John McCann,
J. J. Paul,

J. S. Wortham,
D. W. Wright—22.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Gates presented the petition of sundry tobacco buyers and dealers of the city of Owensboro, protesting against the passage of the bill known as the “Thorne Tobacco Bill.”

Mr. Berry presented the petition of sundry tobacco dealers of Henderson, protesting against the passage of said bill.

Each of which petitions were received, read, and referred to the Committee on General Statutes.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to re-charter the town of Mt. Vernon, in Rockcastle county,

Which was granted.

Whereupon the Speaker appointed Mr. Roberts such committee on the part of the Senate.

A message in writing was received from the Governor by Hon. Willis Ringo, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, March 21, 1890. }

Gentlemen of the Senate and House of Representatives :

I have under consideration a bill which has been passed by both Houses of the General Assembly, reducing the revenue of the State in the amount of five cents on every one hundred dollars of assessed values. All this reduction applies to the general expenditure fund, by which every department of the government, except that of education is sustained. This bill proposes a reduction of this fund from twenty cents to fifteen

cents on the hundred dollars of valuation, thus taking away one-fourth of the general expenditure fund, without any reduction of the appropriations.

The aspect of the question is so serious, involving as it does, the credit of the State, that before taking action on this bill the Executive desires it eminently proper to communicate with the General Assembly on the subject. The Executive is in full sympathy with the legislative department in their desire to reduce taxation. While the taxation for general purposes is much lower than in other States, it is due to the people whom we represent to reduce it to the lowest possible rate consistent with the public welfare, and to limit the expenses of government to the actual necessities of public administration, in order that such reduction may be effected. But before reducing the rate of taxation, it is incumbent on us to take care that the revenue be sufficient to pay the indebtedness incurred. The people desire low taxation, but they do not wish it at the cost of public dishonor. Indebtedness can not be paid by resolution, and a resolution cutting off the revenue will not relieve the people from responsibilities incurred in consequence of appropriations in excess of the revenue, such reduction would result only in financial embarrassment and a heavier taxation subsequently to meet additional costs resulting from such embarrassment. The Executive believes that a reduction of the present rate of taxation is entirely practicable, but that it can be safely accomplished only after wholesome legislation that will cut off extravagant expenses which ought not to be a charge on the State, and by stopping the almost innumerable leaks through which the public money is emptied from the Treasury into local or individual coffers, and by the repeal of all legislation which improperly exempts property from taxation.

In order that the critical position in which the public finances will be placed if this bill become a law, your attention is invited to the report of the Auditor in connection with subsequent and proposed legislation. The Auditor's estimate was based on the hypothesis that the present rates of taxation would be continued, and that the appropriations would not exceed his estimates. The appropriations, it is believed, already exceed the estimates of the Auditor.

In addition to these accomplished appropriations, bills are pending in the General Assembly which, if they become laws, will still further reduce the revenues and increase the expenses.

The bill changing the method of taxing banks, proposes a reduction of the State revenues to the amount of about \$74,000. The bill to pay witnesses in examining courts will increase the expenses in the sum of \$40,000 or \$50,000. The bill to change the pay of assessors proposes an increase of expenses, amounting to probably \$15,000 or \$20,000. Under existing legislation the ratio of increase in witness and jury expenses and maintenance of idiots is rapid, and, unless checked, will result in largely increased expenses. The cost of the Constitutional Convention, which was not included in the estimate of the Auditor, can not be safely placed at less than \$100,000.

A number of bills are now before the Executive still further increasing the already excessive list of exemptions, and enlarging the already copious leaks in the public Treasury.

When the accomplished and pending and prospective legislation is considered, it is evident that if the amount of the general expenditure fund be materially reduced, the bankruptcy of the Treasury and the consequent financial dishonor of the State seem almost inevitable.

But it is believed that this result may be avoided and that taxation may be reduced by appropriate legislation. The expenses of witnesses and of juries seem out of all proportion to the results attained.

Appropriate legislation would result in a large reduction of expenditures on this account.

One thousand one hundred and eighteen idiots are now supported at their homes at a public cost of more than \$106,000. These should not be a charge on the Treasury, but should be supported by the counties. But if the system of State support be continued, the cost could be materially diminished by supporting idiots of the school age only at the Institution for Feeble-minded Children, and by a more careful investigation of the condition of those placed on the roll. It is believed that such legislation would materially diminish the number of persons classed as idiots, and save a large sum to the State. Your attention has already been invited to the large amount of prop-

erty exempted from taxation. This exemption necessarily throws a heavier burden upon all other property, and is not wanting in equity only, but also in constitutional authority for the enactment of such legislation. A radical change in this respect seems essential to place the legislative department in harmony with the judicial interpretations of the Constitution. Appropriate legislation on this subject, demanded by a just regard for the interests of the whole people, would largely increase the list of property which does not now pay anything towards the support of the society which protects them.

Analogous to exemptions are the privileges conferred upon special communities to divert from the Treasury the fines and forfeitures inflicted in consequence of violations of the penal laws of the Commonwealth with authority to apply them to local uses. If one locality be permitted this degree of support from the Treasury, all should enjoy the same privilege.

Taxation would then be equitable, while, under existing partial legislation, particular localities are protected at the expense of all others. A general act should correct this partial legislation, thus restoring to the Treasury a very considerable sum annually.

You have already considered the losses constantly sustained by the State from the inefficient collection of fines and forfeitures, and of the improper withholding from the State its just portion of these penalties. Until this leakage is stopped by appropriate legislation, the State will continue to be deprived of a large part of its revenue from this source. The record-books of the different counties cost the Treasury about \$22,000 annually. This should not be a charge upon the State at all. The county record-books, at least, should be paid for by the counties, as is done, it is believed, in every other State.

But if the present system is retained; the cost can be materially reduced. At present every county and circuit clerk can purchase books, without restriction as to number or price, and call upon the Auditor to pay the bill. These books should be furnished on requisitions properly guarded and limited to the actual necessities of the courts, and made on an official of the State, who should purchase them as required from the lowest bidder.

At present all the statutes are published, constituting, for the last Legislature, 3,000 copies of 3 large volumes each. Acts of a general character would all be embraced in one small volume. The Private and Local Acts have no general interest. It is not essential to the public to publish 6,000 volumes giving information only that some rivulet has been declared navigable, or publishing an extensive code of laws for some village. This is of interest to the locality ; but the publication of the Local and Private Acts should be limited to two hundred copies, which will supply every county and the libraries with a copy.

Your attention might be called to numerous other cases where legislative remedies are desirable, and which you have doubtless considered very closely. But it is believed that enough has been suggested to show that in the existing condition of public legislation the proposed reduction of the revenue is premature.

The general expenditure fund was reduced to fifteen cents March, 1876. As the leaks of the Treasury were not stopped, the result was financial embarrassment, the borrowing of money at interest until the limit of indebtedness was reached, a bonded indebtedness of \$500.00 to capitalize the floating debt, and an increase of the taxation to the former rate of twenty cents.

Two years ago a bill was passed again, reducing the tax to fifteen cents without diminishing the appropriations. If Executive sanction had been given to that act, the Treasury would have been bankrupt to-day.

It behooves us to profit by the experience of the past. As the servants of the people, it is our duty to reduce taxation to the lowest point consistent with the public welfare ; but we owe them, if possible, a still higher duty, to maintain taxation at a rate which will protect the credit of the Commonwealth and the honor of the people.

Under existing circumstances I trust that the General Assembly will permit me to suggest that they consider the propriety of recalling this bill for reconsideration, and that by their appropriate committees they determine the best means of reducing the expenses and saving to the Treasury the sums now wasted by leakage. If, after such legislation as in your wisdom

may seem best, it is found practicable to reduce taxation, you may rely upon the co-operation of the Executive in your patriotic purposes.

Respectfully,

S. B. BUCKNER.

Mr. Newman moved that 200 copies of said communication be printed, and that the consideration thereof be made the special order of the day for Thursday next, March 27th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

Mr. Anderson moved that a committee of two be appointed on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of the bill referred to in the aforesaid communication of the Governor, it being a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

Mr. Gates moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the motion made by Mr. Anderson, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	Chas. B. Poyntz,
Reuben Conner,	J. W. McCain,	G. Terry,
F. W. Darby,	John McCann,	J. S. Wortham,
G. W. Gates,	Chas. Patteson,	D. W. Wright—19.
T. L. Glenn,		

Those who voted in the negative, were—

Sam E. English,	D. L. May,	Phil. Roberts,
R. G. Hays,	John P. Newman,	J. H. Shearer—7.
J. H. Lunsford,		

Whereupon the Speaker appointed Messrs. Glenn and Patterson such committee on the part of the Senate.

After a short time Mr. Glenn, from said committee, reported that the committee had requested the appointment of a similar committee on the part of the House of Representatives, to act in conjunction with the committee on the part of the Senate, and that the House of Representatives refused to appoint said committee, and notified the committee of the Senate that the House had received a message from the Governor vetoing said bill.

A message was received from the House of Representatives asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the town of Briensburg, in Marshall county,"

Which was granted.

Whereupon the Speaker appointed Mr. Hendrick such committee on the part of the Senate.

After a short time, Mr. Hendrick, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Hendrick moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of the passage of said bill by the House of Representatives.

Which was granted, and the bill delivered to the messenger.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to secure the attendance of witnesses before the joint

committee appointed to investigate lotteries, conducted in this State, and prescribing punishments against witnesses for certain offenses.

An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county.

Mr. McCann, from the Committee on Courts of Justice, to whom was recommitted a bill, which originated in the Senate, entitled

An act for the protection of public health, by providing for the inspection of cattle, calves, sheep, lambs and swine intended for human food,

Reported the same, without amendment.

On motion of Mr. McCann—

Ordered, That the further consideration of said bill be postponed, and that an additional 200 copies of said bill be printed, and that said bill be recommitted to the Committee on Courts of Justice.

Mr. Poyntz read and laid on the table the following joint resolution, viz:

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Governor be, and he is hereby, authorized to loan from the State Arsenal to any institution of learning in this Commonwealth in which military science constitutes a part of the course of instruction, and to any camp of the Sons of Veterans applying therefor, any number of guns or muskets of obsolete pattern and accoutrements for same, not exceeding forty guns to each school or college, nor more than twenty guns to any one camp of the Sons of Veterans; but the persons borrowing such guns shall, before receiving same, execute bond to the Commonwealth, with surety, to be approved by the Governor, for the safe keeping and return of the borrowed property on demand of the Governor; and, for any violation of the covenants of any such bond, suit may be brought against the obligors therein in the Franklin Circuit Court.

2. This resolution to take effect and be in force from and after its passage.

Which, under the rules, lies one day on the table.

Mr. McCann read and laid on the table the following joint resolution, viz:

WHEREAS, John J. Tully, a citizen of Louisville, Kentucky, and one of those heroic men who devoted their lives and means to the saving of human life on the Falls of Ohio river for seven

years, and who was one of the originators of the present efficient Life Saving Service at said Falls; and whereas, whilst in the service of the United States, as a member of the Life Saving Service, and whilst on duty under the orders of his chief on the Falls saving the life of two fellow beings, the boat in which he and others of the crew were, was swept over the dam and capsized, and from the injuries received at the time, and the exposure in the cold water he was permanently injured; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That our Representatives and Senators in Congress be, and are hereby, requested to use all legal means to obtain a pension for said Tully from the government that he served so well and faithfully.

2. This resolution to take effect from and after its adoption.

Which, under the rules, lies one day on the table.

On motion of Mr. Hays—

The rules were suspended, and said resolution was taken up, twice read and adopted.

The hour of 12 o'clock M. having arrived, the Speaker announced the orders of the day.

On motion of Mr. Hendrick—

The consideration of bills in the orders of the day were postponed for the day.

Mr. Hendrick moved that when the Senate adjourns, it be to meet on Tuesday next, March 25th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Roberts moved that the Senate do now adjourn

And the question being taken thereon, it was decided in the negative.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky,

Reported the same, with an amendment as a substitute therefor.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a convention for the purpose of re-adopting, amending or changing the Constitution of the Com-

monwealth of Kentucky, is hereby called to meet in the capital of the State, at Frankfort, at 12 o'clock A. M., on the first Tuesday of September, 1890, and to continue its sessions from day to day, with power to adjourn and re-assemble as it may deem proper, till the business thereof be completed.

§ 2. That the said convention shall consist of as many members as compose the House of Representatives, and no more; and they shall be apportioned among the several counties as Representatives are; and shall be possessed of the same qualifications of a qualified elector, and shall be elected by the citizens of Kentucky, who are entitled to vote for Representatives, on the first Monday in August, 1890, on which day it shall be the duty of the sheriffs and other officers of election to open a poll at their several places of voting for delegates to said convention. The said vote shall be taken, certified, returned, compared, and certificates of election given, in the same manner and by the same officers as is now provided by law for the election of Representatives.

§ 3. That the convention, when assembled, shall judge of the qualifications and election of its members, and in case of a tie vote or contest, or in case of the death or resignation of any member elected a delegate to said convention, the same rules or provisions shall apply to such cases as now apply to similar contingencies in the election and return of members of the House of Representatives.

§ 4. That the delegates, after assembling and taking the oath of office as prescribed by the Constitution, shall elect one of their number president, and may elect a printer, clerk, stenographer and assistants, and such other officers as they deem proper and necessary, and shall fix the pay of said officers and employes. The compensation of the president and delegates shall be the same as is now allowed by law to the Speaker and members of the House of Representatives, and shall be paid in the same manner; but they shall not be paid for any recess longer than three days at one time.

§ 5. That the convention may adopt such rules and regulations for its own government as a majority of its members may determine; and, during their attendance at the sessions thereof, the delegates shall be privileged from arrest, as are members of the General Assembly, and for any speech or debate they shall not be questioned in any other place.

§ 6. That said convention, when assembled, shall have authority to cause to be printed, at the cost of the State, as many copies of their proceedings, debates, etc.; as they may deem proper, and may provide for their distribution. The Journal of the proceedings of the said convention, at the adjournment thereof, shall be filed in the office of the Secretary of State, and the amended or changed Constitution agreed to by the convention shall be recorded in his office.

§ 7. *Be it further enacted*, That it is the sense of this General

Assembly that before any Constitution agreed upon by said convention shall take effect or become operative, the same shall be submitted to the qualified voters of this Commonwealth after at least twenty days' notice, and ratified by a majority of those voting.

§ 8. That this act shall take effect from and after its passage.

The amendment reported by the committee as a substitute for said bill, reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a convention be, and the same is hereby, called, for the purpose of re-adopting, amending or changing the Constitution of this State, to be held in the city of Frankfort, the capital of the State, commencing on the second Monday in September, 1890, and continuing from day to day till the business thereof be completed, with power to adjourn and re-assemble at such times as it may deem proper. Said convention shall consist of as many members as there are of the House of Representatives, and no more, who shall have the qualifications of an elector for Representative. Said members shall be apportioned among the several counties of the State, in the same manner and proportion that Representatives now are by the law as it now exists.

§ 2. That it shall be the duty of the sheriff and other returning officers, at the election to be held on the first Monday in August, 1890, to open a poll at their several places of voting, for delegate to said convention, and all citizens entitled to vote for Representative shall have the right to vote for delegate.

§ 3. That the sheriffs, judges and clerks of the county courts of the several counties shall, upon comparison and count of the votes, within ten days after the election of delegates to said convention, deliver to each person, who shall have been elected a delegate, a certificate of his election as such, and they shall, within twenty days after said election, transmit a copy thereof to the Secretary of State, which certificate shall be in the following form, viz : "Be it known to all to whom these presents shall come, that we, _____, sheriff, and _____, judge of the county court, and _____ clerk of the county court of _____ county, by an election held on the first Monday in August, 1890, by the electors of said county, qualified according to law, caused to be chosen _____ for said county, to represent the same in the convention to be held in the city of Frankfort on the second Monday in September, 1890, for the purpose of re-adopting, amending or changing the Constitution of this State. Given under our hands, this, the _____ day of _____, 1890." *Provided*, That in case of the resignation, inability to serve, or death of any member who may be elected a delegate to said convention, the Governor shall, upon information, issue a writ of election to the sheriff of the county where said vacancy may

occur, directing and authorizing him to hold an election in ten days after the receipt of said writ, to fill any vacancy so occurring.

§ 4. That the president of said convention shall receive, as compensation for his services, the same allowance *per diem* and mileage as is now allowed by law to the Speaker of the House of Representatives, and each delegate thereof shall receive the same allowance *per diem* and mileage now allowed by law to Representatives, and the other proper officers of said convention shall receive the same allowance as is now allowed by law to similar officers performing similar duties for the House of Representatives, and all of said compensation is hereby directed and authorized to be paid by the State Treasurer upon the warrants of the Auditor.

§ 5. That the sheriff and other officers of the election shall be liable to all such fines and penalties for failing to discharge the several duties imposed by this act as are now imposed upon them by law for a failure to perform their duty in conducting other general elections, and all persons who shall be found guilty of casting illegal votes for delegates shall be liable, upon conviction, to all the fines and penalties now provided by law for illegal voting.

§ 6. That when two or more counties vote together in the election of a delegate, the sheriffs of said counties, after the votes of each county shall have been compared and counted in the manner, and by the officers hereinbefore provided for, shall meet at the court-house of the county polling the largest number of votes, within ten days after said comparison and counting in each county, and said sheriffs shall then compare the returns from said counties, and shall jointly give the certificate hereinbefore described to the delegate elected.

§ 7. The said sheriffs, county judges and county clerks, shall be governed by the said laws now in force regarding the comparison of the polls for Representatives.

§ 8. The said convention, when assembled, shall have authority to cause to be printed, at the cost of the State, all such of its debates and proceedings as it may deem proper, and it shall be the duty of the State Librarian to furnish a hall for the meeting of said convention, and all such committee rooms as the business of the convention may require, and each member of said convention shall be allowed the sum of twenty-five dollars for stationery, to be paid as herein provided for as to other allowances for them.

§ 9. In case the right to a seat in said convention by any delegate who holds a certificate of election is contested, said convention shall decide such contest, and testimony shall be taken in the same manner, and the same proceedings had, as in case of a contest as to the seat of a Representative; and, in case of a tie the Governor shall issue a writ of election as provided for herein, in case of a vacancy.

§ 10. That before any Constitution agreed upon by said convention shall take effect or become operative, the same shall be submitted to the qualified voters of this Commonwealth, after at least ninety days' notice, and ratified by a majority of those voting.

§ 11. This act shall take effect from and after its passage.

The question was then taken on the adoption of said amendment proposed as a substitute for said bill, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	Chas. B. Poyntz,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
Sam E. English,	D. L. May,	G. Terry,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—26.
R. G. Hays,	Charles Patteson,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Conner—

1. A bill to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1873.

On motion of Mr. Lindsay—

2. A bill to declare the rights of owners of lands condemned for mill-dams, water-ways and like purposes.

On motion of same—

3. A bill in relation to the St. Clair street bridge in Frankfort, Kentucky.

On motion of Mr. Lunsford—

4. A bill to empower the trustees of Mandonia Church, near Harrison, in Hopkins county, to sell the church lot and buildings, and re-invest the proceeds in another house of worship.

On motion of same—

5. A bill to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Earl-ington,” approved March 10, 1886.

On motion of Mr. Roberts—

6. A bill to allow manufacturers of spirituous, vinous and malt liquors that retail, to have it drank on their own premises in the county of Madison.

On motion of Mr. Lindsay—

7. A bill for the benefit of L. C. Money.

On motion of Mr. Wortham—

8. A bill, entitled “An act to declare the Eddyville Peniten-tiary open for the reception of convicts on October 1, 1890.”

On motion of Mr. Hendrick—

9. A bill, entitled “An act to incorporate the city of Grand Rivers, in Livingston county.”

Ordered, That the Committee on Education prepare and bring in the 1st; the Committee on Penitentiary and House of Reform the 2d and 8th; the Committee on Railroads the 3d; the Com-mittee on Propositions and Grievances the 4th, 5th and 6th; the Committee on Revenue and Taxation the 7th, and the Com-mittee on the Judiciary the 9th.

Mr. May moved to reconsider the vote by which the session of the Senate was extended for the day.

Which motion was simply entered.

On motion of Mr. Lindsay, the Senate then adjourned.

TUESDAY, MARCH 25, 1890.

The reading of the Journal of Saturday was dispensed with.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wright—

1. A bill to amend section 4 of an act, entitled “An act still further to amend the tax laws of the city of Louisville,” approved April 20, 1888.

On motion of same—

2. A bill to survey and locate the boundary line between the county of Warren and the counties of Edmonson, Butler, Logan, Simpson, Allen and Barren.

On motion of Mr. Peterman—

3. A bill, entitled “An act to establish and maintain three State Normal Schools, to be designated respectively, the Eastern Kentucky State Normal School, the Central Kentucky State Normal School, and the Western Kentucky State Normal School.”

On motion of Mr. Darby—

4. A bill, entitled “An act to amend article 1, chapter 180, General Statutes, title ‘Treasurer.’”

On motion of Mr. May—

5. A bill to incorporate the Leitchfield, Big Spring & Northern Railway Company.

On motion of Mr. Cockrell—

6. A bill to prevent stock from running at large on the turnpike roads in Montgomery county.

On motion of Mr. Martin—

7. A bill to amend an act, entitled “An act to amend and reduce into one the several acts in relation to the town of Rochester,” approved ——— of 18—.

On motion of Mr. May—

8. A bill to incorporate the Daniel E. O’Sullivan Printing and Publishing Company.

On motion of Mr. Lindsay—

9. A bill to authorize the increase of the number of directors in the Bank of Kentucky and branches.

On motion of same—

10. A bill to incorporate the Lawrenceburg Saving, Loan and Trust Company, of Anderson county.

On motion of Mr. Huff—

11. A bill to amend chapter 29 of the General Statutes, entitled "Crimes and Punishment."

On motion of Mr. Lindsay—

12. A bill in relation to the subscription of Bourbon county to the capital stock of the Kentucky Midland Railway Company.

Ordered, That the Committee on Lotteries prepare and bring in the 1st ; the Committee on General Statutes the 2d and 11th ; the Committee on Education the 3d ; the Committee on Revenue and Taxation the 4th ; the Committee on Railroads the 5th and 12th ; the Committee on Agriculture and Manufactures the 6th ; the Committee on Propositions and Grievances the 7th, and the Committee on Banks and Insurance the 8th, 9th and 10th.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to change and define the boundary line of Hayfield magisterial district, in the county of Campbell.

An act to change and fix the boundary line between the counties of Leslie and Perry.

An act to organize and establish a system of public schools in Slaughtersville, Webster county, for white children.

An act to incorporate the Kinniconnick & Freestone Railroad Company.

An act to amend an act, entitled "An act to amend an act and reduce into one the several acts in relation to the city of Lebanon."

An act to amend an act, entitled "An act to incorporate the Lexington Hydraulic and Manufacturing Company," approved February 27, 1882.

An act to incorporate the Kentucky Drilling Company.

An act to amend an act, entitled "An act to incorporate the

Farmers' Mutual Aid Association, of Mason county, Kentucky," approved January 26, 1882.

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other, except life, insurance companies," approved March 12, 1870.

An act to incorporate and amend the laws for the town of Sharpsburg, Bath county.

An act to incorporate the Deposit Building and Loan Association, of Lexington.

An act to incorporate the Pineville Street Railway Company.

An act to fund the debt of Marion county.

An act to prevent hogs from running at large in the county of Jefferson, and provide a penalty therefor.

An act to authorize the Harlan County Court to issue and sell the bonds of said county, and provide for the payment of the same, for the purpose of building a new jail.

An act for the benefit of J. W. Baird, of Simpson county.

An act to amend an act, entitled "An act to authorize Fayette county to subscribe for stock in the Kentucky Union Railway Company, and issue bonds in payment thereof, which became a law March 28, 1888 ;

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to amend the charter of the city of Augusta, Kentucky," approved February 18, 1890.

An act to amend an act to revise and amend the charter of the city of Bowling Green," approved January 2, 1882.

An act to incorporate the Middlesborough Bank, Loan and Trust Company.

An act creating a board of commissioners for Nicholas county.

That they had concurred in a joint resolution and passed bills, which originated in the Senate, of the following titles, viz :

Resolution requesting the Senators and Representatives in Congress to aid in the passage of an act for the benefit of the heirs of Mrs. Catharine Morin.

An act to incorporate the Bremen College, including Perryman Male and Female Academy, of Bremen, Muhlenburg county, Kentucky.

An act to incorporate the Cumberland Improvement Company.

An act to enable W. H. Hook, a justice of the peace for McCracken county, to appoint a clerk for his court.

An act to incorporate Mitchell, Finch & Co.'s Bank, of Maysville, Kentucky.

An act to amend an act, entitled "An act to incorporate the Bank of Cumberland," approved February 28, 1890.

An act to further amend an act, entitled "An act to amend the charter of Newcastle, and to reduce into one the amendments thereto," approved 25th March, 1882, volume 1, page 1011.

An act to incorporate the Union Bank, Maysville.

An act to incorporate the Kenyon Bank, Trust and Guarantee Company.

An act to charter the Monticello Banking Company.

An act to incorporate the Hopkins County Bank.

An act to incorporate the Farmers' Bank, of Leitchfield.

An act to incorporate the Bank of Ashland.

An act to amend the charter of the German Savings and Homestead Fund Company.

An act to incorporate the Greensburg Deposit Bank.

An act to incorporate the Columbia Finance and Trust Company, of Louisville, Kentucky.

An act repealing an act amending the charter of the Farmers' and Drovers' Bank, of Louisville, approved January 28, 1890.

An act to incorporate the Eclectic Medical Society of the State of Kentucky.

An act to incorporate the Peoples' Savings Bank and Trust Company of Newport, Campbell county, Kentucky.

An act to incorporate the Union Dime Savings Bank.

That they had passed, with amendments thereto, bills which originated in the Senate of the following titles, viz :

1. An act to incorporate the Farmers' and Merchants' Bank, in the city of Hopkinsville, Christian county.

2. An act to incorporate the Citizens Vault and Trust Company, of Mt. Sterling.

3. An act to amend the charter of the Shelby County Trust Company.

4. An act to incorporate the Hickman County Bank.

5. An act to incorporate the Bank of Louisa.

6. An act to repeal an act, entitled "An act to incorporate the Ironside Bank of Smithland," approved May 4, 1888, and to re-enact a charter in lieu thereof.

Ordered, That said bills be referred—the 2d, 3d, 4th and 6th to the Committee on Banks and Insurance, and that the amendments to the 1st and 5th named bills be taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act to amend an act for the benefit of the Fleming County Farmers' Bank.

2. An act to incorporate the Central Electric Company.

3. An act to amend an act, entitled "An act to incorporate the Bank of Henderson," approved March 8, 1890.

4. An act to amend an act to incorporate the Peoples' Bank of Bagdad.

5. An act to incorporate the Clark County Deposit Bank of Winchester.

6. An act to amend an act to incorporate the Deposit Bank of Bourbon county.

7. An act to amend an act, entitled "An act to promote the study of medicine and surgery in the city of Louisville," approved May 3, 1888.

8. An act to charter Johnson College.

9. An act to incorporate the Bank of Livermore.

10. An act to incorporate the Piedmont Deposit Bank, at Irvine, Kentucky.

11. An act to repeal an act, entitled "An act to repeal chapter 1259 of the Session Acts of 1881-2, entitled "An act to define the jurisdiction of the courts of justice of the peace in the county of Spencer," approved March 16, 1886, and to revive and continue in force chapter 1259 of the Session Acts of 1881-2, approved April 22, 1882.

12. An act to amend an act, entitled "An act to establish

and incorporate a bank of deposit and discount in Burlington, in Boone county."

13. An act to incorporate the St. Helen's Security Bank of St. Helen's.

14. An act to incorporate the Deposit Bank of Sadieville.

15. An act to incorporate the Farmers' and Laborers' Bank of Henderson.

16. An act to incorporate the Citizens' Bank of Beech Grove.

17. An act to charter the Jamestown Loan and Deposit Bank.

18. An act to incorporate the Henderson Savings Bank of Henderson.

19. An act to amend the charter of the city of Paducah, Kentucky.

20. An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Shepherdsville, Bullitt county," approved April 30, 1884.

21. An act amending and reducing into one the several acts relating to the town of Scottsville.

22. An act to incorporate the Merchants' and Traders' Bank of Georgetown.

23. An act to create the office of county treasurer of Harrison county.

24. An act empowering Lyon county to compromise its debts, and for the purpose to levy and collect taxes, and to elect sinking fund commissioners.

25. An act to provide a tax on dogs in various precincts in Daveiss county.

26. An act in relation to the roads and bridges in Daveiss county.

27. An act to amend an act, entitled "An act to incorporate the Deposit Bank of Waddy," approved January 10, 1890.

28. An act to incorporate the Commercial Bank of Middlesborough, Kentucky.

29. An act to incorporate the Butler Deposit Bank.

30. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of Beech Grove, McLean county,' " approved March 27, 1888.

31. An act to incorporate the Exchange Bank of Owingsville.

32. An act to incorporate the Central Improvement Company.

33. An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county," approved May 1, 1884.

34. An act to incorporate the Lebanon Street Railway.

35. An act to incorporate the Lodge of Kentucky Knights of Odd Fellows.

36. An act to incorporate the Bethlehem and Bryant Station Extension Turnpike Company.

37. An act to change the boundary line between Common School Districts Nos. 14 and 18, in Marion county.

38. An act to prevent and punish trespass upon real estate in certain counties in this Commonwealth.

39. An act to repeal subsection 3, of section 6, of chapter 103, General Statutes, as far as the same applies to the county of Bullitt.

40. An act to amend an act, entitled "An act to repeal the charter of the city of Henderson and the acts amendatory thereto, and to re-incorporate said city of Henderson," approved April 9, 1888.

41. An act to amend an act, entitled "An act to incorporate the Versailles and Shryock's Ferry Turnpike Road Company," approved February 14, 1850.

42. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Lexington Hydraulic and Manufacturing Company,' " approved March 22, 1890.

43. An act to incorporate the Lexington and Richmond Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 3d, 4th, 5th, 6th, 7th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 22d, 27th, 28th and 31st to the Committee on Banks and Insurance; the 2d to the Committee on Public Expenditures; the 11th, 21st,

38th and 39th to the Committee on General Statutes ; the 8th and 37th to the Committee on Education ; the 23d to the Committee on Executive Affairs ; the 24th to the Committee on the Judiciary ; the 25th to the Committee on Propositions and Grievances ; the 26th and 30th to the Committee on Courts of Justice ; the 29th to the Committee on Revenue and Taxation ; the 32d and 36th to the Committee on Internal Improvements ; the 33d to the Committee on Library, Public Buildings and Offices ; the 34th to the Committee on Railroads ; the 35th to the Committee on Religion and Morals, and the 40th, 41st, 42d and 43d named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville, in Lyon county, chapter 221, Acts General Assembly.’”

By Mr. McCann, from the Committee on Library, Public Buildings and Offices—

An act to incorporate St. Mathew’s Evangelical Church, of Louisville.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act authorizing a vote in Owen county in aid of a railroad.

By same—

An act to prohibit hunting with guns or shooting upon inclosed lands in the South Covington District in Kenton county.

By same—

An act to change the dividing line between the counties of Lewis and Mason.

By same—

An act authorizing the sale of the old court-house and Grounds in Knott county.

By same—

An act to prohibit hunting with guns upon inclosed land in Barren county.

By same—

An act to change the line of Laurel and Clay counties.

By Mr. Roberts, from the same committee—

An act to establish a new voting place in Muhlenburg county, Kentucky.

By same—

An act to declare the Rock-house Fork of Rockcastle creek, in Martin county, a navigable stream.

By same—

An act to declare Boone Fork of Frozen creek, in Breathitt county, a navigable stream.

By same—

An act to declare Island creek, in Pike county, a navigable stream.

By Mr. Dickerson, from the Committee on Privileges and Elections—

An act to amend an act, entitled “An act to regulate voting at primary elections and to prevent fraud therein, for the benefit of Harrison, Bourbon, Campbell and Kenton counties,” approved April 19, 1880, and to apply the provisions thereof to Bracken county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors within a radius of two miles of Mt. Hebron Baptist Church, in the county of Garrard.

By same—

An act to amend the acts incorporating the town of Paintsville.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors, or fermented or hard cider in the Hendron District of Washington county.

By same—

An act to amend an act to prohibit the sale of spirituous, vinous or malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors or fermented or hard cider in the Hendron District of Washington county.

By same—

An act to regulate the sale of spirituous, vinous and malt liquors within three miles of Friendship Church, in Knox county, Kentucky.

By same—

An act to regulate the sale of any vinous, spirituous or malt liquors, or any mixture thereof within the town of Hindman, Knott county, or within the corporate limits of said town.

By same—

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in Woodford county, which became a law April 21, 1888, and the acts amendatory thereof," approved April 27, 1888.

By Mr. McCain, from the Committee on Public Expenditures—

An act to incorporate the Central Electric Company.

By Mr. Peterman, from the Committee on Education—

An act to organize and establish a system of public graded schools in Lancaster, Kentucky.

By Mr. Kemp, from the Committee on Railroads—

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

By same—

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

By same—

An act to incorporate the Gibson Lodge No. 553, of Free and Accepted Masons.

By same—

An act to incorporate the Grand Lodge of the Order of Adherents of the High Mogul, and to authorize the said lodge to grant charters to subordinate lodges of said order, and to organize a mutual benefit society.

By same—

An act to incorporate Breathitt Lodge U. D. F. & A. M., of Breathitt county.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Big Hill and Manchester Railroad Company,

With amendments to the six last-named bills,

Which were adopted.

Ordered, That said bills, the six last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May moved the following resolution, viz :

WHEREAS, This Senate has heard with sincere regret of the death of Judge Wm. L. Jackson, of the city of Louisville, whose ability as a jurist and whose worth as a man has made his name famous all over Kentucky.

Be it resolved, 1. That this earnest tribute to his memory be spread upon the Journal of this Senate, that they may bear testimony to a career, singularly pure and honorable, to a name upon which there is no stain, to a gentleman who, in every relation of life, whether on the bench or in the private station, has shown himself a credit to his city and State, and whose death will be felt as a personal loss to all who have come within the circle of his acquaintance.

2. *Be it further resolved*, That a copy of these resolutions be transmitted to his bereaved family.

Which was twice read and adopted.

A message was received from the Governor by Mr. W. R. Griffith, Private Secretary, announcing that the Governor had

approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to repeal an act, entitled "An act for the benefit of Henry Academy and Henry Female College," approved December 9, 1850.

An act to repeal an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837, and all amendatory acts thereto.

An act to repeal an act, entitled "An act for the benefit of the city schools in the town of Frankfort and for other purposes," approved February 1, 1838, granting a lottery for certain purposes, and to repeal all amendatory acts in so far as they relate to said lottery.

An act to repeal so much of section 18, of an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16, 1869, as grants to the board of councilmen of the city of Frankfort, the same power and authority as granted to the managers in an act, entitled "An act for the benefit of the city schools of the town of Frankfort, and for other purposes," approved February 1, 1838, and to repeal all amendatory acts in relation to said grant.

An act to protect game in Mason county, Kentucky.

An act to regulate the licensing of the sale of spirituous, vinous and malt liquors in the city of Carlisle.

An act to amend an act, entitled "An act to authorize the county of Spencer to refund its bonded indebtedness," approved February 15, 1888.

An act to incorporate the Owensboro Fire Insurance Company, of Owensboro.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 25, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for

the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

George B. Alexander, Bourbon county.

Nathan Adler, Fayette county.

D. T. Chester, Whitley county.

Wayland J. Chase, Livingston county.

John W. Dyer, Union county.

Robert J. Elliott, Jefferson county.

J. D. Fritzlen, Jessamine county.

E. J. Hawes, Hancock county.

H. C. King, Whitley county.

G. A. McGill, Hancock county.

A. L. Risen, Green county.

Wm. Ryan, Jefferson county.

Wm. L. Sterrett, Hancock county.

Gus Thomas, Fulton county.

Buford Twyman, Jefferson county.

W. I. Williams, Green county.

J. H. Likins, Ohio county.

William Lyons, Jr., Breckinridge county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Eastern Kentucky Title Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Breckinridge—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act creating a board of commissioners for Nicholas county ;

An act for the benefit of Washington county, by which said county is authorized to fund its outstanding railroad debt ;

An act to incorporate and consolidate the Lebanon Electric Light Company and the Lebanon Artificial Ice Company, under the name of the Lebanon Electric Light and Ice Company ;

An act to repeal an act, entitled "An act for the benefit of the taxpayers of Lyon county," approved February 6, 1878, and also to repeal an act amendatory thereof, approved April 2, 1880 ;

An act to regulate the civil jurisdiction of the police court of the town of Springfield, Washington county ;

An act to authorize the Washington County Court to levy an ad valorem tax for county purposes ;

An act to legalize the order of the Washington County Court entered at its October term, 1889, levying an ad valorem tax of ten cents on each one hundred dollars of the taxable property of said county ;

An act for the benefit of Washington county ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to empower Logan county to retire the bonded indebtedness of the county at or before maturity ; to create a sinking fund for that purpose ; to provide for commissioners of the sinking fund and collectors of taxes levied, and to provide for the duties and powers of said officers ;' "

An act to authorize the city of Cloverport to refund its school-house indebtedness ;

An act to re-enact chapter 94 of Private Acts, 1887-88 ;

An act for the benefit of J. F. Lowe ;

An act for the benefit of the sureties of J. C. Holloway, late sheriff of Lyon county ;

An act to amend an act, entitled "An act to amend the charter of the city of Augusta, Kentucky," approved February 18, 1890 ;

An act providing for the appointment of a sealer of weights and inspector of stock and grain scales in Shelby county, and to legalize the appointment of such officer heretofore made by the Shelby County Court ;

An act to amend the charter of the Kentucky and Indiana Bridge Company ;

An act to amend an act to authorize the city of Lexington to

subscribe for stock in Kentucky Union Railway Company, and issue bonds in payment thereof, approved April 31, 1888 ;

An act to amend the charter of the Security Trust and Safety Vault Company of Lexington, Kentucky ;

An act to amend an act incorporating the town of Pleasureville, in Henry county ;

An act to incorporate the town of Jackson ;

An act to amend an act to incorporate the Richmond Safety Vault and Trust Company ;

An act empowering the municipalities in Kenton county to regulate the observance of Sunday therein ;

An act to amend an act, entitled "An act to incorporate the Winchester Vault and Trust Company of Winchester, Kentucky ;"

An act declaring certain portions of Green river, in Green county, a lawful fence ;

An act to amend the charter of the Bardstown Female Academy ;

An act to incorporate the Farmers' and Merchants' Bank of Falmouth ;

An act to amend an act, entitled "An act to establish a system of common schools for the town of Beech Grove, McLean county," approved April 22, 1882 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to create the office of Commissioner of Bonds for the city of Louisville ;

An act to amend an act to prohibit the sale of spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider, in Spurlington, Kentucky, or within three miles thereof, in Taylor county ;

An act to declare Lower Devil's Creek, in Wolfe county, Kentucky, navigable ;

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the church-house of the United Baptist at Seventy-six, in Clinton county ;

An act to repeal an act, entitled "An act providing for the election of a surveyor in the city of Louisville and in the county of Jefferson ;

An act for the benefit of Monroe county ;

An act to authorize the court of claims of Livingston county to levy an ad valorem tax for bridge purposes ;

An act to amend the charter of the West View Building Company, and to change its name ;

An act to repeal an act, entitled "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815, and all amendatory acts in reference thereto ;

An act for the benefit of G. T. Center for improving a part of Red river and its tributaries ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Speaker laid before the Senate the response of the Auditor of Public Accounts, in response to a resolution adopted by the Senate, calling upon him for information as to the amount of money paid to Hon. Wilhite Carpenter, Gen. H. B. Lyon and Capt. J. M. Thomas for traveling and other official expenses as Commissioners to construct a Branch Penitentiary at Eddyville.

Said response was taken up and read as follows, viz :

STATE OF KENTUCKY,
OFFICE AUDITOR PUBLIC ACCOUNTS,
FRANKFORT, March 24, 1890. }

HON. JAMES W. BRYAN, *Speaker of the Senate* :

SIR—I have the honor to report, in obedience to Senate resolution of date, March 21, that under the act of April 28, 1884, there has been paid to Hon. Wilhite Carpenter \$1,454.50 ; to Gen. H. B. Lyon \$642.42, and to Capt. J. M. Thomas \$504.95 for their traveling and other official expenses as Commissioners to construct a branch penitentiary at Eddyville, as provided in the first section of said act. No mileage or other compensation has been paid to any one of them.

I have the honor to remain your obedient servant,

L. C. NORMAN, *Auditor*.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the Senate, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors in Garrard county,

Together with the amendment adopted by the House of Representatives to said bill,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous and malt liquors in the town of Butler, Pendleton county,

Reported the same, without amendment.

Mr. Dickerson proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, March 25, 1890. }

Gentlemen of the Senate :

A vacancy having occurred in the office of Librarian by the resignation of Ed Porter Thompson, and the General Assembly having chosen Mrs. Mary B. Day to that office for the term beginning the first Monday in June of the present year, I hereby nominate, and by and with the advice and consent of the Senate will appoint, Mrs. Mary B. Day Librarian, to fill the unexpired term made vacant by the resignation of Ed Porter Thompson.

Respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Library, Public Buildings and Offices.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 24, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with the consent of the Senate will appoint, Dr. J. W. Whitney, of Lexington, Commissioner of the Eastern Kentucky Lunatic Asylum, in place of Thomas Mitchell, declined.

Respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 24, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with the consent of the Senate will appoint, R. T. Petree, Thomas H. Carlos and George W. Shaw, of Christian county, Commissioners of the Western Kentucky Lunatic Asylum, the first two to succeed themselves, and the last named to fill the vacancy occasioned by the expiration of the term of office of C. W. Meacham.

Respectfully,

S. B. BUCKNER.

Ordered, That said message be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 24, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent will appoint, W. J. Macy "State Inspector and Examiner," to fill out the unexpired term of R. A. Miller, resigned.

Very respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Executive Affairs.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 24, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent will appoint, C. J. Norwood "Inspector of Mines" for the term of four years from May 10th, 1888, to succeed himself.

Very respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Agriculture and Manufactures.

A message in writing was received from the Governor by Mr. W. R. Griffith, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 25, 1890. }

Gentlemen of the Senate :

I have the honor to nominate, and with your advice and consent, will appoint L. C. Norman Auditor of Public Accounts to fill out the unexpired term of Fayette Hewitt, resigned.

Very respectfully,

S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Executive Affairs.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to amend and reduce into one the several acts in relation to the town of Danville,” approved March 10, 1873.

By same—

An act to repeal chapter 1393, Acts 1879–80, approved May 4, 1880.

By same—

An act to incorporate the Bank of Grand Rivers.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend the charter of the Bardstown Cemetery Company.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous or malt liquors within two and one-half miles of the Methodist church-house or common school-house in Campton, in Wolfe county.

By Mr. McCain, from the Committee on Public Expenditures—

An act to incorporate Trimble Lodge No. 77, I. O. O. F.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Kentucky River and Virginia Railroad Company.

By same—

An act concerning the St. Clair street bridge, in Frankfort.

By Mr. McCain, from the same committee—

An act to authorize the county of Cumberland to subscribe aid to the Burksville and Northwestern Railroad Company.

By same—

An act to incorporate the Kentucky and Southeastern Railway Company.

By same—

An act to amend an act, entitled “An act to incorporate the Bloomfield and Harrodsburg Railroad Company,” approved May, 1, 1880.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act in relation to the management of trains where railways cross each other,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That wherever railways cross each other in this State the trains shall be brought to a full stop at least fifty feet before getting to the crossing: *Provided, however*, That the provisions of this section shall not be applicable where the crossings of such roads are regulated by derailing switches or other safety appliances which prevent collisions at crossings, nor where a flagman or watchman is stationed at such crossings and signals that the train may cross in safety.

§ 2. That any corporation failing to so stop its trains as herein directed shall be guilty of a misdemeanor, and shall be fined not less than one hundred nor more than five hundred dollars for each offense, and the engineers of said trains shall be fined not less than twenty nor more than one hundred dollars for each offense.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson, from the Committee on Penitentiary and

House of Reform, to whom was referred leave to bring in a bill, entitled

An act to declare the rights of owners of lands condemned for mill-dams, water-ways, water-works and other like purposes.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the condemnation of lands for mill-dams, water-ways, water-works, water companies and other like purposes, shall not deprive the original owners of such lands, their heirs, successors or assigns of the right to have and control, access to and egress from the lands flooded, covered or occupied by water, for the reasonable use and enjoyment of such estates, rights or interests therein, as may not be taken under the condemnation proceedings: *Provided*, Such access, egress and enjoyment shall not be inconsistent with the uses and purposes for which said lands shall be taken.

§ 2. This act shall take effect from its passage, and all acts or parts of acts inconsistent with its provisions, whether enacted by this or any previous General Assembly are, to the extent of such inconsistency, repealed, and this act shall be treated as part and parcel of all future acts unless the contrary intention be expressly declared.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to prescribe the duties of courts in this Commonwealth in cases where the punishment of the defendant has been fixed at imprisonment,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That hereafter when there shall be a verdict returned against any defendant fixing his punishment at imprisonment, it shall be the duty of the court trying the case, if the defendant be present in court, to order him at once into the custody of the jailer, or, if he be not in court, to have issued at once a writ, ordering the defendant to be arrested and imprisoned in conformity to the judgment, and placed in the hands of the proper officer for immediate execution.

§ 2. Nothing in this act shall be so construed as to prevent such defendant from prosecuting an appeal as now provided by law, or moving the court for a new trial.

§ 3. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. May the Senate then adjourned.

WEDNESDAY, MARCH 26, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a State Board of Pharmacy, defining its duties and powers, and to regulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 13, 1888.

That they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to further regulate municipal elections in the city of Covington.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to provide for a registration of voters in the city of Covington,

With an amendment to the amendment.

That they had passed a bill, which originated in the Senate, entitled

An act to amend the turnpike laws of Trimble county.

That they had passed bills of the following titles, viz :

1. An act to regulate the size of coal screens within this Commonwealth.

2. An act to amend an act, entitled "An act to establish a State Board of Pharmacy, defining its duties and powers and to regulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 13, 1888.

3. An act to incorporate the Green River Trust Company.

4. An act to incorporate the Reynolds Coal, Coke and Mining Company.

5. An act to incorporate the Farmers' Bank, of Beattyville.

6. An act to incorporate the Deposit Bank, of Middlesborough.

7. An act providing for Commissioners for that part of the Covington and Lexington Turnpike Road, lying south of Walton and in Kenton county.

8. An act to incorporate the Breathitt County Citizens' Bank.

9. An act to incorporate the Fordsville Banking Company.

10. An act to repeal an act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county, in so far as it applies to the precincts of Florence, Burlington, Petersburg and Bellview, and to provide a vote on same.

11. An act to incorporate the Sebree Deposit Bank, of Sebree, Kentucky.

12. An act to incorporate the Bagdad Printing and Publishing Company.

13. An act chartering the Lebanon Bank and Trust Company.
14. An act to incorporate the Cooper Mining and Manufacturing Company.
15. An act to amend an act, entitled "An act to provide for and regulate the ventilation of coal mines in this State, and for the better protection of miners," approved May 10, 1884, and also to amend an act amendatory of said act, approved April 6, 1888.
16. An act to incorporate the Bank of Harlan.
17. An act to incorporate the Bank of Stanford, Kentucky.
18. An act to incorporate the Citizens' Deposit Bank, of Booneville.
19. An act to amend an act, entitled "An act to incorporate American Eagle Lodge, No. 130, I. O. O. F.," passed January 25, 1864.
20. An act to incorporate the Bank of Benton, Marshall county.
21. An act to incorporate the Bank of Eddyville.
22. An act to incorporate and define the corporate limits of the town of Fallsburg, in Lawrence county.
23. An act to empower the County Commissioners of Kenton county to make subscriptions to the capital stock of turnpike roads in said county.
24. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort and Flat Creek Turnpike Road Company,' " approved February 15, 1869.
25. An act to amend an act, entitled "An act to incorporate the town of Enterprise, in Carter county."
26. An act to incorporate the town of Mt. Savage, in Carter county.
27. An act to change the boundary line between Clay and Owsley counties.
28. An act declaring Buffalo creek, in Owsley county, a navigable stream.
29. An act declaring the East Fork of Goose creek, in Clay county, a navigable stream.
30. An act for the benefit of Robert Clark and Lewis Sandlin.
31. An act to amend the charter of the town of Central Covington, Kentucky.

32. An act to prevent stock from running at large on that portion of the Mt. Sterling and Winchester Turnpike Road, lying in Montgomery county.

33. An act to amend an act, entitled "An act to incorporate the town of Briansburg, in Marshall county."

34. An act to incorporate the Colored Cemetery Company, of North Middletown, in Bourbon county.

35. An act to incorporate the town of Willard, in Carter county.

36. An act to amend an act, entitled "An act to incorporate the Louisville Steam Motor Power Company."

37. An act to increase the jurisdiction of magistrates in Walton Magisterial District, in Boone county.

38. An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Mitchellsville and Dry Creek Plank Road Company, in Boone county,'" approved February 2, 1866.

39. An act to incorporate the Mount Sterling Banking Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 15th to the Committee on General Statutes; the 2d to the Committee on Public Health; the 3d, 5th, 6th, 8th, 9th, 11th, 13th, 16th, 17th, 18th, 20th, 21st and 39th to the Committee on Banks and Insurance; the 4th, 14th and 32d to the Committee on Agriculture and Manufactures; the 7th, 23d, 31st and 36th to the Committee on Courts of Justice; the 10th, 19th and 34th to the Committee on Religion and Morals; the 12th to the Committee on Printing; the 24th, 25th, 26th, 30th, 33d and 35th to the Committee on the Judiciary, and the 27th, 28th, 29th, 37th and 38th to the Committee on Propositions and Grievances,

And the 22d named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend article 3 of chapter 92, General Statutes, title "Revenue and Taxation,"

Reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. Hays objected to the third reading of said bill.

Mr. Dickerson moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	Chas. Patteson,
W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	C. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	Phil Roberts,
Reuben Conner,	J. W. Martin,	J. H. Shearer,
F. W. Darby,	D. L. May,	G. Terry,
W. W. Dickerson,	James H. Mulligan,	J. S. Wortham,
T. L. Glenn,	J. W. McCain,	D. W. Wright—28.
William Goebel,		

In the negative—none.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the president or chief officer of each railroad company, or other corporation or association owning or operating a railroad lying in whole or in part in this State, which, or any part thereof, shall be located in any graded or common school district in this State, shall, on or before the first day of September in each year, report under oath to the Auditor of Public Accounts of the State, in addition to the facts required of such officer by section 1 of article 3 of chapter 92, General Statutes, a statement of the length of such railroad, and branches thereof, in each respective graded and common school district in this State, and the average value per mile thereof, for the purpose of being operated for carrying freight and passengers, including engines and cars, and a list of depot

grounds and improvements, and other real estate of the said company or association, and the value thereof, and each respective graded and common school district in which the same are located. Said report shall be made as of the first day of July, and a failure to file said report by the first day of September in each year shall subject the president or chief officer residing in this State to a fine of one thousand dollars, and fifty dollars for every day after the first day of September that he fails to file said report, to be recovered by indictment in the circuit court of the county in which any graded or common school district, with respect to which such failure occurred, shall be situated.

§ 2. It shall be the duty of the county superintendent of common schools to furnish such railroad company with the boundary of each graded or common school district in his county in which any part of such railroad track or other property is situated.

§ 3. The same rate of taxation authorized to be levied in any graded or common school district in which any portion of such railroad is located, which is, or may be, in any year levied on other real estate therein, shall be, and is hereby, levied on the value of the real estate of said company therein, and in the number of miles of such railroad, reckoned as of the value of the average value of each mile of such railroad, with its rolling stock, as ascertained as aforesaid, and as equalized and corrected by the Railroad Commissioners of this State.

§ 4. All taxes against any railroad company which shall be levied in any graded or common school district shall be paid on or before the tenth day of October in each year to the collector of the district tax in each respective graded and common school district; and for a failure to pay said taxes as aforesaid the president or chief officer residing in this State shall be subject to a fine of fifty dollars for every day that elapses without the payment of said taxes. After the tenth day of October the said fine may be recovered by indictment in the circuit court of the county of the graded or common school district with respect to which such failure shall occur, and the taxes due each district respectively may be recovered by civil actions in any court of competent jurisdiction.

§ 5. The provisions of this act shall not be construed to apply to any colored school district: *Provided*, That the same rate of taxation assessed against the real estate of any railroad company or corporation in any graded common school district, or common school district, in any year, shall be assessed against all of the taxable property in such district; and the railroad tax, when collected, shall be paid over to the county superintendent of the county in which the district school-house wherein the tax assessed shall be situated, and shall constitute and be held by the county superintendent as a graded or common district school fund, and the said fund shall be apportioned and distributed by the county superintendent between the white

graded common school or white common school district, wherein said tax shall be collected, and any colored common school district which shall be located over the same boundary, which distribution shall be in the ratio that the whole number of white children of pupil age, and the whole number of colored children of pupil age, residing in the district, shall bear to the whole number of children, white and colored, residing in the district wherein such tax shall be collected.

§ 6. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville, in Lyon county, chapter 221, Acts General Assembly.'"

After a short time, Mr. Glenn, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

In pursuance of a resolution adopted by the Senate, the Speaker announced the appointment of Messrs. Poyntz, Berry, Martin, Glenn and Pieratt as the committee for the purpose of ascertaining what sum per month it costs the State to supply the Governor's mansion, State-house, Library, court-rooms and public offices with gas-light, and also to ascertain the cost of an electric plant within the walls of the Penitentiary.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Hendrick, from the Committee on the Judiciary—

An act to incorporate Clay City, in Powell county.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to incorporate the Butler Deposit Bank.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large on said road.

By same—

An act to amend an act, entitled “An act to charter the Vanceburg, Salt Lick, Tollsboro and Maysville Turnpike Road Company.”

By same—

An act to amend an act, entitled “An act to incorporate the Townsend Branch Turnpike Road Company, in Bourbon county,” approved April 6, 1882.

By same—

An act to establish the boundary line between the counties of Bourbon and Harrison.

By same—

An act to authorize the Cynthiana and Millersburg Turnpike Company to collect toll on said road at the present gate.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the bank of D. A. Sayre & Co., of Lexington, Kentucky.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the same, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the Otter Creek Coal, Iron and Timber Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Brushy Fork and Scrub Grass Turnpike Road Company, in Nicholas county.

By same—

An act to re-enact and amend an act, entitled “An act to amend an act, entitled ‘An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and issue bonds for the same,’ ” approved May 10, 1884.

By same—

An act to repeal an act, entitled “An act to repeal an act to amend an act, entitled ‘An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and to issue bonds for the same,’ ” approved March 2, 1888.

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and to issue bonds for the same,’ ” approved March 18, 1884.

By same—

An act to incorporate the Kentucky Fair Association.

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to incorporate the Paducah and Mayfield Gravel Road Company,’ ” approved April 16, 1888.

By Mr. Glenn, from the same committee—

An act to amend an act, entitled “An act to incorporate the Wickliffe, Cairo and Bird’s Point Ferry Company.”

By same—

An act to amend an act, entitled “An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company,” approved February 22, 1860.

By same—

An act to amend an act, entitled “An act to re-enact and amend an act, entitled ‘An act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark’s River Gravel Road Company.’ ”

By Mr. Kemp, from the Committee on Revenue and Taxation—

An act to amend the charter of the city of Clinton.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to prevent stock running at large on the turnpike roads in Montgomery county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act incorporating the Muhlenburg Coal Company,” approved February 7, 1880.

By same—

An act to incorporate the town of Berea, in Madison county, Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Hays, leave of absence, indefinitely, was granted to such Senators who desire to attend the funeral of Hon. W. L. Jackson on to-morrow.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Huff—

1. A bill to incorporate the Cowan Station and Battle Run Turnpike Road Company, in Fleming county.

On motion of same—

2. A bill to incorporate the Junction Turnpike Company.

On motion of Mr. Bradley—

3. A bill to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Midway.”

On motion of Mr. Poyntz—

4. A bill to secure the attendance of witnesses before joint committees, appointed by the General Assembly of the Commonwealth of Kentucky, and prescribing punishment against witnesses for certain offences.

On motion of Mr. Breckinridge—

5. A bill to incorporate the Mitchellsburg and Rolling Fork Turnpike Road, in Boyle county.

On motion of Mr. Wright—

6. A bill to amend section 73 of the General Statutes.

On motion of Mr. Kemp—

7. A bill to amend section 5, article 23, chapter 29, of the General Statutes.

On motion of Mr. Conner—

8. A bill to incorporate the North Kentucky Agricultural and Breeders' Association, near Walton, in Boone county.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 2d, and 3d; the Committee on General Statutes the 4th and 7th; the Committee on Internal Improvements the 5th; the Committee on Charitable Institutions the 6th, and the Committee on Agriculture and Manufactures the 8th.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the Senate, together with an amendment thereto adopted by the House of Representatives, entitled

An act to incorporate the Hickman County Bank,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Goebel moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to prohibit hunting with guns or shooting upon inclosed lands in the South Covington District, in Kenton county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Goebel—

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

On motion of Mr. Glenn—

Ordered, That the special orders of the day be postponed for the day.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend section 3, article 8, of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 3 of article 8 of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886, be, and the same is hereby, amended by striking from the second and third lines thereof the following clause, to-wit: "After the meeting of the board of supervisors," and by inserting said clause, to-wit: "After the meeting of the board of supervisors," between the words "claiming" and "to," in the first line of said section.

§ 2. This act shall take effect from its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred a bill from the House of Representatives, entitled

An act to tax stock corporations for the privilege of organization,

Reported the same, with the expression of opinion that said bill ought not to pass.

On motion of Mr. Dickerson—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Glenn, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Paducah Southern & Jackson Railroad Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. English—

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. Glenn, from the Committee on Agriculture and Manufactures, to whom was referred the nomination by the Governor of C. J. Norwood to be Inspector of Mines, for the term of four years from May 10, 1888,

Reported the same with the expression of opinion that said nomination ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Kemp, from the Committee on Library, Public Buildings and Offices, to whom was referred the nomination by the Governor of Mrs. Mary B. Day to be Librarian until the first Monday in June, 1890, to fill the unexpired term made vacant by the resignation of Ed. Porter Thompson,

Reported the same with the expression of opinion that said nomination ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Poyntz, from the Committee on Executive Affairs, to whom was referred the nomination by the Governor, of L. C. Norman to be Auditor of Public Accounts to fill out the unexpired term of Fayette Hewitt, resigned,

Reported the same with the expression of opinion that said nomination ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Poyntz, from the Committee on Charitable Institutions, to whom was referred the nomination by the Governor of W. J. Macy, to be State Inspector and Examiner, to fill out the unexpired term of R. A. Miller, resigned,

Reported the same, with the expression of opinion that said nomination ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. English, from the Committee on Charitable Institutions, to whom was referred the nominations, by the Governor, of S. C. Bull, N. J. Sawyer and W. S. Dehoney, to be members of

the Board of Commissioners of the Kentucky Institution for the Education and Training of Feeble-minded Children, to succeed themselves,

Reported the same, with the expression of opinion that said nominations ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. English, from the Committee on Charitable Institutions, to whom was referred the nomination, by the Governor, of Dr. J. W. Whitney, of Lexington, to be Commissioner of the Eastern Kentucky Lunatic Asylum,

Reported the same, with the expression of opinion that said nomination ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. English, from the Committee on Charitable Institutions, to whom was referred the nominations, by the Governor, of R. T. Petree, Thos. H. Carles and George W. Shaw, of Christian county, to be Commissioners of the Western Kentucky Lunatic Asylum,

Reported the same, with the expression of opinion, that said nominations ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to reincorporate and amend the laws of the town of Salyersville, Magoffin county.

Which was granted.

Whereupon the Speaker appointed Mr. Pieratt said committee on the part of the Senate.

Mr. Pieratt moved that a committee be appointed on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the with-

drawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the Senate, entitled

An act for the benefit of G. T. Center for improving a part of Red river and its tributaries.

And the question being taken thereon, it was decided in the affirmative.

Whereupon the Speaker appointed Mr. Pieratt such committee.

After a short time, Mr. Pieratt, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Pieratt moved to reconsider the vote by which the Senate had passed said bill.

Which bill was simply entered.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend section 8 of article 6 of chapter 92 of the General Statutes, entitled "Revenue and Taxation,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 8 of article 6 of chapter 92 of the General Statutes, entitled "Revenue and Taxation," be amended by striking out of said section the words, "one and one-quarter cents," and inserting in lieu thereof the words, "three-quarters of a cent."

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Wortham proposed to amend said bill as follows, viz :

Amend by inserting the following: "One and one-fourth cents on the one hundred dollars for the second million, and three-fourths cents on the one hundred dollars for the excess over and above two-millions."

Mr. Wright moved that said bill and the proposed amend-

ment thereto, be recommitted to the Committee on Revenue and Taxation.

Mr. Glenn moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Wright, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and McCain, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	J. M. Pieratt,
F. W. Darby,	D. L. May,	Chas. B. Poyntz,
Sam E. English,	A. L. Peterman,	D. W. Wright—10.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	Phil Roberts,
B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	James H. Mulligan,	G. Terry,
W. W. Dickerson,	J. W. McCain,	J. S. Wortham—20.
William Goebel,	Chas. Patteson,	

Mr. Wright moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Wortham to said bill, and it was decided in the affirmative.

Ordered, That said bill be read a third time.

Mr. English objected to the further reading of said bill on this day.

Mr. Dickerson moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and English, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	A. L. Peterman,
W. F. Berry,	John R. Kemp,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	Phil. Roberts,
Reuben Conner,	James H. Mulligan,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—26.
William Goebel,	J. J. Paul,	

Those who voted in the negative, were—

Sam E. English,	R. G. Hays,	D. W. Wright—3.
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Said bill was read a third time.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	Phil Roberts,
Reuben Conner,	James H. Mulligan,	J. H. Shearer,
W. W. Dickerson,	J. W. McCain,	G. Terry,
T. L. Glenn,	Chas. Patteson,	J. S. Wortham—24.

Those who voted in the negative, were—

Sam E. English,	Chas. B. Poyntz,	D. W. Wright—4.
R. G. Hays,		

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that

the committee had examined enrolled bills which originated in the House of Representatives of the following titles, viz :

An act to amend, digest and reduce into one all the acts and laws in relation to the town of Barbourville ;

An act to amend an act to revise and amend the charter of the city of Bowling Green, approved January 2, 1882 ;

An act to authorize the board of trustees of London, Kentucky, to issue bonds to raise money to macadamize the streets, and to provide street lamps for said town ;

An act to incorporate the Middlesborough Bank, Loan and Trust Company ;

An act to incorporate the Crescent Hill Presbyterian Church, Jefferson county ;

An act to incorporate the Farmers' and Labors' Union of Kentucky ;

An act to incorporate the Union Trust Company of Maysville, Kentucky ;

An act to incorporate the Washington Lodge, No. 79, F. and A. M., at North Middletown, Bourbon county ;

An act authorizing certain Kentucky corporations to consolidate with similar corporations authorized by other States to erect bridges across the Ohio river ;

An act to amend an act, entitled "An act to incorporate the Versailles and Shryock's Ferry Turnpike Road Company," approved February 14, 1850 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to create a turnpike road district in the Verona magisterial district of Boone county, Kentucky, and to provide funds for the purpose of building turnpike roads in said district.

An act to amend the charter of the Owensboro Safety Vault and Trust Company ;

An act to incorporate the Union Dime Savings Bank,
And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Glenn read and laid on the table the following resolution, viz :

WHEREAS, The State Teachers' Association for this Commonwealth meets in Frankfort on the 25th of June, 1890 ; therefore, for the purpose of providing a suitable hall for such meeting,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the use of the Senate Chamber and House of Representatives is hereby tendered the said State Teachers' Association for the 25th, 26th and 27th days of June, 1890, and for such other days as may be necessary.

2. This resolution to be in full force and effect from its passage.

Which, under the rules, lies one day on the table.

Mr. Glenn moved that the rules be suspended and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved to amend said resolution by adding thereto, the following, viz :

“ Provided, The Legislature is not then in session.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Darby moved to amend said resolution by striking out the words “ Senate Chamber.”

And the question being put and the yeas and nays demanded,

Pending the roll call thereon, Mr. English moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned, and further action on said resolution was cut off.

THURSDAY, MARCH 27, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act to incorporate the Richmond Safety Vault and Trust Company.

An act to amend an act, entitled "An act to incorporate the Winchester Vault and Trust Company of Winchester, Kentucky."

An act to incorporate the town of Jackson.

An act to amend the charter of the Security Trust and Safety Vault Company of Lexington, Kentucky.

An act to amend the charter of the Bardstown Female Academy.

An act declaring certain portions of Green river, in Green county, a lawful fence.

An act providing for the appointment of a sealer of weights and inspector of stock and grain scales in Shelby county, and to legalize the appointment of such officer heretofore made by the Shelby County Court.

An act to amend an act, entitled "An act to amend the charter of the city of Augusta, Kentucky," approved February 18, 1890.

An act to amend the charter of the Kentucky and Indiana Bridge Company.

An act for the benefit of Washington county, by which said county is authorized to fund its outstanding railroad debt.

An act to provide for electing a board of commissioners for the county of Nicholas, and defining their duties, power and liability.

An act to incorporate and consolidate the Lebanon Electric Light Company and the Lebanon Artificial Ice Company, under the name of the Lebanon Electric Light and Ice Company.

An act to regulate the civil jurisdiction of the police court of the town of Springfield, Washington county.

An act to authorize the Washington County Court to levy an ad valorem tax for county purposes.

An act for the benefit of Washington county.

An act to legalize the order of the Washington County Court, entered at its October term, 1889, levying an ad valorem tax of ten cents on each one hundred dollars' of the taxable property of said county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to empower Logan county to retire the bonded indebtedness of the county at or before maturity; to create a sinking fund for that purpose; to provide for commissioners of the sinking fund and collectors of taxes levied, and to provide for the duties and powers of said officers.'"

An act to authorize the city of Cloverport to refund its school-house indebtedness.

An act to incorporate the Farmers' and Merchants' Bank of Falmouth.

An act to amend an act, entitled "An act to establish a system of common schools for the town of Beech Grove, McLean county," approved April 22, 1882.

An act to re-enact chapter 94 of Private Acts, 1887-88.

An act to incorporate the Ohio Valley Banking and Trust Company.

An act to regulate the punishment of offenses committed within this Commonwealth, where the punishment is now a fine or imprisonment in the county jail or both.

An act to amend the charter of the city of Covington.

That they had passed bills of the following titles, viz:

1. An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

2. An act to amend an act, entitled "An act to amend, digest and reduce into one all the acts incorporating the city of Lexington," approved April 19, 1882, and all acts amendatory thereof.

3. An act to amend the several acts in relation to the town of Slaughtersville, Webster county.

4. An act to amend an act, entitled "An act to establish the

Lexington Police and Fire District, in Fayette county, and to provide for the government thereof," approved February 27, 1886.

5. An act to provide for the appointment of a clerk for the jury commissioners of Jefferson county.

6. An act to incorporate the Newtown and Little Elkhorn Turnpike Company, in Scott county.

7. An act to change the time of holding the Menefee Circuit Court.

8. An act requiring watchmen to be kept at certain crossings of highways by railroads in Fayette county, and fixing penalties.

9. An act to fix the time and terms of holding the circuit court in the Seventh Judicial District.

10. An act to amend an act, entitled "An act to amend an act, entitled 'An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein,'" approved April 1, 1886.

11. An act to incorporate the Big Sandy Banking and Trust Company.

12. An act to incorporate the Merchants' Bank of Paintsville.

13. An act to declare Elkhorn creek, in Pike county, a navigable stream.

14. An act to establish an additional Justices' District in Lincoln county.

15. An act to extend the corporate limits of the city of Richmond.

16. An act to incorporate the Richmond Water-works and Sewerage Company.

17. An act to organize and establish a system of Public Graded Schools in Junction City, Boyle county.

18. An act to change the time of holding the circuit court in the counties of Jackson and Laurel.

19. An act to incorporate the Prestonsburg Street Railway Company.

20. An act to incorporate the Beaver Lick and South Fork Turnpike Road Company, in Boone county.

21. An act to suppress lottery advertisements and publications,

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred, the 1st to the Committee on Revenue and Taxation ; the 2d, 4th, 14th and 15th to the Committee on the Judiciary ; the 3d and 18th to the Committee on Codes of Practice ; the 5th, 7th and 9th to the Committee on Courts of Justice ; the 6th, 8th and 19th to the Committee on Railroads ; the 10th to the Committee on Education ; the 11th and 12th to the Committee on Banks and Insurance ; the 13th and 20th to the Committee on Propositions and Grievances, and the 21st to the Special Committee on Lotteries, and the 16th and 17th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to incorporate the Augusta and Berlin Turnpike Road Company, in Bracken county,” approved March 16, 1869.

By Mr. Patteson, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to incorporate the town of Sacramento, in McLean county,” approved March 1, 1860.

By same—

An act to authorize the county court of claims of Jefferson county to increase their county levy.

By Mr. Goebel, from the same committee—

An act to increase the jurisdiction of justices of the peace in McCracken county.

By Mr. Terry, from the Committee on General Statutes—

An act to amend an act to incorporate the town of Lockport, in Henry county, approved March 9, 1854, and amendments thereto.

By same—

An act to amend an act to incorporate the town of Pleasureville, in Henry county, approved 22d March, 1871, and to enlarge and define the boundary of said town and establish a police court therein.

By Mr. Berry, from the Committee on Federal Relations—

An act to amend an act, entitled “An act to amend and reduce into one the several acts in relation to roads and bridges in Union county.”

By same—

An act to authorize the county of Henderson to purchase the gravel roads now constructed in said county, and to extend and maintain said gravel roads, and to construct and maintain others.

By same—

An act to incorporate the city of Pineville, in Bell county.

By Mr. Peterman, from the Committee on Education—

An act to charter Johnson College.

By same—

An act to change the boundary line between Common School Districts Nos. 14 and 18, in Marion county.

By same—

An act for the benefit of Common School District No. 23, in Livingston county, Kentucky.

By same—

An act to prevent drunkenness at places of worship in certain counties in this Commonwealth.

By Mr. Terry, from the Committee on General Statutes—

An act to authorize the city of Hawesville to compel lot-owners to pave and to provide a fund to gravel or macadamize certain streets.

By same—

An act providing for the levy and collection of an annual tax in Breckinridge county, for the improvement of public highways in said county.

By same—

An act to amend an act, entitled “An act to create a board of commissioners for Magoffin county, and prescribe their duties and powers,” approved March 24, 1888.

By same—

An act to amend the charter of the Allensville Turnpike Road Company.

By same—

An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads.

By Mr. Anderson, from the same committee—

An act to amend section 1, article 1, chapter 94, General Statutes.

By same—

An act to repeal subsection 3 of section 6 of chapter 103, General Statutes, as far as the same applies to the county of Bullitt.

By Mr. Wright, from the same committee—

An act amending and reducing into one the several acts relating to the town of Scottsville,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Central Kentucky Guarantee and Trust Company.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Louisville and Danville Railroad Company.

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to provide for or-

ganizing and establishing a system of public schools in Winchester," approved April 15, 1873.

By Mr. Wright, from the Committee on General Statutes—

An act to survey and locate the boundary line between the county of Warren and the counties of Edmonson, Butler, Logan, Simpson, Allen and Barren.

By Mr. Anderson, from the same committee—

An act to amend an act, entitled "An act to incorporate the Hardin County Fair Association.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Paul—

1. A bill, entitled "An act to incorporate the Pineville Water Company, of Bell county, Kentucky.

On motion of Mr. Berry—

2. A bill to incorporate the Uniontown and Clarksville Railroad Company.

On motion of Mr. Breckinridge—

3. A bill to incorporate the Louisville and Danville Railroad Company.

On motion of Mr. Patteson—

4. A bill, entitled "An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years."

On motion of Mr. Glenn—

5. A bill, entitled "An act to amend an act, entitled 'An act to incorporate the Paducah and North Ballard Turnpike Company.'"

On motion of Mr. Hendrick—

6. A bill to amend the provisions of the Civil Code of Practice, concerning injunctions.

On motion of Mr. Reynolds—

7. An bill, entitled “An act for the benefit of Katy A. Gillen, of Bath county.”

On motion of Mr. Patteson—

8 A bill, entitled “An act for the benefit of F. J. Huston, late sheriff of Taylor county.

On motion of Mr. Hays—

9. A bill to exempt saving depositor from taxation in the city of Louisville.

Ordered, That the Committee on Internal Improvements prepare and bring in the 1st; the Committee on Railroads the 2d and 3d; the Committee on Propositions and Grievances the 4th and 5th; the Committee on the Judiciary the 6th; the Committee on General Statutes the 7th; the Committee on Courts of Justice the 8th, and the Committee on Banks and Insurance the 9th.

On motion of Mr. Paul—

Ordered, That 100 copies of the following joint resolution be printed, viz :

Resolution requesting our Senators in Congress to favor an appropriation for the improvement of the Cumberland and Tennessee rivers.

The Senate, according to order, took up for consideration the motion heretofore made by Mr. Pieratt, to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act for the benefit of G. T. Center, for improving a part of Red river and its tributaries.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

On motion of Mr. Pieratt—

Ordered, That said bill be recommitted to the Committee on Religion and Morals.

Mr. Patteson, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the Senate, entitled

An act to authorize and empower the Wolfe County Court to

levy an ad valorem or poll or capitation tax to raise funds to build a jail and poor-house,

Together with an amendment adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of W. M. Howard, of Laurel county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of W. S. Stone, of Daveiss county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 27 article 2 section 1, General Statutes, titled "County Levy,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Glenn moved to reconsider the vote by which the Senate had disagreed to said bill,

Which motion was simply entered.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled
An act for the benefit of J. P. Jennings, of Jessamine county.
Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, J. P. Jennings, of Jessamine county, made application to the county court of said county for State license to retail spirituous, vinous and malt liquors in the town of Nicholasville, Jessamine county, Kentucky, which license was granted, thereupon the said J. P. Jennings paid to the clerk of the Jessamine County Court one hundred and fifty dollars for said State license ; and whereas, the said J. P. Jennings then made application to the mayor and councilmen of the town of Nicholasville for city license to retail spirituous, vinous and malt liquors in said town, which application was refused by said mayor and board of councilmen ; and whereas, by said refusal the State license became inoperative ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky : § 1. That the Auditor of Public Accounts be, and is hereby, authorized and directed to draw his warrant upon the Treasurer in favor of said J. P. Jennings for the sum of one hundred and fifty dollars, to be paid out of any money in the hands of the Treasurer not otherwise appropriated.

§ 2. This act to take effect from and after its passage.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. M. Pieratt,
W. F. Berry,	John K. Hendrick,	Chas. B. Poyntz,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	G. Terry,
Reuben Conner,	J. W. McCain,	J. S. Wortham,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—20.
T. L. Glenn,	J. J. Paul,	

In the negative—Phil Roberts—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Mrs. Johanna R. Otto, of Mason county, Kentucky,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Samuel E. Otto, a citizen of the county of Mason, State of Kentucky, on the 3d day of January, 1889, paid to the clerk of the Mason County Court one hundred and fifty dollars (\$150) for coffee-house license, and on the 20th day of March, 1889, the said Otto died, and his family was deprived of the benefit of the license for the unexpired portion of the year ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor be, and is hereby, required to draw his warrant in favor of Johanna R. Otto, widow of deceased, for the sum of one hundred and eighteen dollars and seventy-five cents.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. McCain,	Phil Roberts,
F. W. Darby,	Chas. Patteson,	G. Terry,
T. L. Glenn,	J. J. Paul,	J. S. Wortham,
William Goebel,	A. L. Peterman,	D. W. Wright—22.
R. G. Hays,		

Those who voted in the negative, were—

John K. Hendrick,	J. H. Shearer—2.
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Resolved, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to establish the fish and game warden system in the State of Kentucky, and creating the office of State Fish and Game Warden, defining his powers and duties and conferring

upon him the right to appoint county fish and game wardens, defining their powers and duties and giving to the county wardens the right to appoint deputy county wardens and defining their powers and duties,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That said bill be printed and recommitted to the Committee on General Statutes.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Carpenter Annear & Co.,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Wright moved that said bill be recommitted to the Committee on Claims.

Mr. Dickerson moved to lay said bill on the table.

And the question being taken on the motion made by Mr. Dickerson, it was decided in the affirmative.

So said bill was rejected.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to regulate the sale of spirituous, vinous and malt liquors within three miles of Friendship Church, in Knox county, Kentucky ;

An act to amend an act to provide for keeping certain turnpike roads in repair in Shelby county ;

An act to amend the charter of the Louisville Turnpike Company ;

An act authorizing the sale of the old court-house and grounds in Knott county ;

An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein, for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Bracken county ;

An act to incorporate St. Mathew's Evangelical Church, of Louisville ;

An act to declare Island Creek, in Pike county, a navigable stream ;

An act to change the dividing line between the counties of Lewis and Mason ;

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county ;

An act to prohibit hunting with guns upon inclosed lands in Barren county ;

An act to declare Boone's Fork of Frozen Creek, in Breathitt county, a navigable stream ;

An act to declare the Rock House Fork of Rockcastle Creek, in Martin county, a navigable stream ;

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hendrick moved that the special orders of the day be postponed for the day.

And the question being taken thereon, it was decided in the affirmative.

Mr. Darby, from the Committee on Codes of Practice, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend title 9, chapter 2, subdivision 3 of Civil Code of Practice, title "Verdict,"

Reported the same, with an amendment thereto.

Mr. Wright proposed an amendment to said bill.

Mr. Berry moved that the further consideration of said bill and the proposed amendments thereto be postponed, and that said bill be made the special order of the day for Thursday, April 2, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Wright presented petitions of sundry citizens of this Commonwealth, protesting against the passage of a bill, which originated in the House of Representatives, known as the "Thorne Tobacco Bill."

On motion of Mr. Wright—

Ordered, That said petitions be referred to the Committee on General Statutes.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission," approved March 8, 1876,

Reported the same, without amendment.

Mr. Wright moved that the further consideration of said bill be postponed, and that it be made the special order of the day for Wednesday April 2, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Goebel proposed to amend said motion by striking out the words "Wednesday, April 2," and inserting in lieu thereof the words "Tuesday April 1."

And the question being taken thereon, it was decided in the negative.

The question being taken on the adoption of the motion made by Mr. Wright, and it was decided in the affirmative.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to further extend the time for sheriffs and ex-sheriffs to collect their outstanding and uncollected taxes and fee bills,
Reported the same without amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That all sheriffs and ex-sheriffs and personal representative of deceased sheriffs of this Commonwealth are hereby allowed a further extension of five years from and after this date in which to collect all outstanding taxes and fee bills due to them or the Commonwealth, and that within the time as herein extended they are authorized to exercise all such powers and authority as they were permitted to during their terms of office.

§ 2. Nothing in this act shall be construed to confer upon any sheriff any greater authority or power than he could have exercised under whatever law may have been in existence at the time the taxes were due ; nor shall this act revive any statute of limitations which, at the date of its passage, may be pleadable in bar of any proceeding sanctioned under this act.

§ 3. This act shall take effect and be in force from and after its passage, but shall not apply to Simpson county.

Mr. Terry proposed to amend said bill as follows, viz :

“Amend by exempting the counties of Todd, Grant, Bracken, Pendleton, Boyle, Casey, Lincoln, Garrard, Hopkins and Christian from the provisions of the act.”

Mr. Reynolds proposed to amend said bill as follows, viz :

Amend by exempting the counties of Harrison, Nicholas, Robertson and Kenton from the provisions of the bill.

Mr. Glenn moved the previous question.

And the question being taken, “Shall the main question be now put ?” it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	J. S. Wortham,
R. G. Hays,	Chas. Patteson,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	W. W. Dickerson,	B. F. Reynolds,
R. J. Breckinridge,	William Goebel,	Phil Roberts,
B. F. Cockrell,	J. H. Lunsford,	G. Terry—11.
F. W. Darby,	J. J. Paul,	

The question was then taken on the adoption of the amendment proposed by Mr. Terry to said bill, and it was decided in the negative by the casting vote of the Lieutenant-Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Dickerson and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	W. W. Dickerson,	J. M. Pieratt,
R. J. Breckinridge,	William Goebel,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	Phil. Roberts,
Reuben Conner,	A. L. Peterman	G. Terry—13.
F. W. Darby,		

Those who voted in the negative, were—

J. W. Bryan,	John K. Hendrick,	J. J. Paul,
W. H. Anderson,	J. P. Huff,	J. H. Shearer,
Ben F. Bradley,	John R. Kemp,	J. S. Wortham,
T. L. Glenn,	J. W. McCain,	D. W. Wright—14.
R. G. Hays,	Chas. Pattleson,	

The question was then taken on the adoption of the amendment proposed by Mr. Reynolds to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Dickerson and Geobel, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby,	A. L. Peterman,	J. M. Pieratt—3.
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Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	J. S. Wortham,
R. G. Hays,	Chas. Pattleson,	D. W. Wright—13.
John K. Hendrick,		

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill which originated in the Senate, entitled

An act making it unlawful for stock to run at large on certain turnpikes in Spencer county,

Together with an amendment thereto, adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to require each county of this Commonwealth to pay the expense of conveying its own pauper lunatics to the asylums,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Glenn moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

Mr. Glenn moved that said bill be recommitted to the Committee on General Statutes.

The Senate took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend and reenact an act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark's River Gravel Road Company.

On motion of Mr. Glenn—

Ordered, That said bill and amendment thereto be referred to the Committee on Agriculture and Manufactures.

And the question being taken thereon, it was decided in the negative.

Mr. Glenn moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

By unanimous consent, the rules were suspended, and Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the Senate, entitled

An act to repeal an act, entitled "An act to incorporate the Ironside Bank of Smithland," approved May 4, 1888, and to reenact a charter in lieu thereof,

Together with an amendment thereto, adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The Senate resumed consideration of a bill, entitled

An act to require each county of this Commonwealth to pay the expense of conveying its own pauper lunatics to the asylums.

Mr. Peterman moved that when the Senate adjourns that it be until to-morrow at 11 A. M.

An the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

R. G. Hays,	Chas. Patteson,	J. M. Pieratt—3.
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Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. H. Shearer,
W. F. Berry,	J. H. Lunsford,	G. Terry,
Ben F. Bradley,	J. J. Paul,	J. S. Wortham,
Reuben Conner,	A. L. Peterman,	D. W. Wright—14.
John K. Hendrick,	Charles B. Poyntz,	

Mr. Peterman moved to reconsider the vote by which the Senate had refused to fix to-morrow at 11 o'clock A. M. to which it would adjourn.

On motion of Mr. Dickerson the Senate then adjourned, and further action on said bill was cut off.

FRIDAY, MARCH 28, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act amending and reducing into one the several acts relating to the town of Scottsville.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to legalize an order of the Larue County Court of Claims regulating the price for wagons, plows, teams, etc., used on public roads in said county.

An act to create a new voting precinct at Crabtree mines, in Hopkins county.

An act to amend an act, entitled "An act to amend and to reduce into one the several acts concerning the town of Georgetown," approved March 6, 1880.

An act to amend an act, entitled "An act to reincorporate and amend the laws for the town of Campbellsville, Taylor county," approved March 19, 1888.

An act to amend an act to authorize the people of Boyle county to vote on prohibiting the sale of liquors in said county," approved January, 1890.

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same," approved April 28, 1884.

An act to amend the charter and extend the boundary of the town of Bellevue, in Campbell county.

An act to amend an act, entitled "An act to establish a new charter of Elkton, Todd county."

An act to amend the charter of the city of Newport, exempting certain personal property from taxation.

An act creating a new charter for the town of Stamping Ground, Scott county.

An act to amend, revise and reduce into one the several acts

concerning the town of Madisonville, and to reincorporate said town.

An act to incorporate the Flemingsburg Graded High School.

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth," approved May 26, 1874, so far as it applies to Wayne county.

An act to authorize the Morgan County Court to appropriate money in the hands of W. A. Maxey, receiver of the Morgan County Court, raised under an act approved April, 1880, to the building of a jail for Morgan county.

An act to authorize Boyle County Court to levy a tax.

An act to incorporate the town of Croppers, in Shelby county.

An act to amend the charter of the city of Louisville, in regard to the salary of the assessor of the city of Louisville.

An act to amend the charter of the city of Louisville, in regard to the salary of the auditor of the city of Louisville.

An act to amend the charter of the city of Louisville in regard to the salary of the treasurer of the city of Louisville.

An act to amend the charter of the city of Somerset.

An act to regulate the taking of depositions during any term of the Hardin Circuit Court.

An act in relation to the town of Taylorsville.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

An act to prohibit the sale of spirituous, vinous or malt liquors within two and one-half miles of the Methodist church-house or common school house in Campton, in Wolfe county.

An act to incorporate Trimble Lodge No. 77, I. O. O. F.

An act to incorporate the town of Ilsley, in Hopkins county.

An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city,

With amendments to the two last-named bills,

Which were taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to establish and incorporate South Covington District, in Kenton county."

2. An act to amend the charter of the town of West Covington, Kenton county.

3. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, in Logan county, Kentucky," approved March 13, 1886.

4. An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workingmen or women.

5. An act to protect game and to punish trespass in Campbell and other counties.

6. An act to amend an act, entitled "An act to incorporate the town of West Point, Kentucky," approved March 12, 1870.

7. An act to amend the charter of the city of Ludlow, in Kenton county.

8. An act to amend the charter of the city of Ludlow, in Kenton county.

9. An act to prohibit the sale of spirituous, vinous, malt or intoxicating liquor, or the mixture of either, in the county of Morgan, and to prescribe a penalty therefor.

10. An act to empower Daviess county to dispose of its pauper graveyard and to acquire other land for such use.

11. An act to amend an act, entitled "An act to regulate the selling, lending, procuring for or giving of spirituous, vinous or malt liquors, or any intoxicating drinks, in the county of Carter."

12. An act to authorize the county clerk of Estill county, to sign certain unsigned orders in the records of said county, and to make valid said proceeding.

13. An act to fund the present bonded indebtedness of the town of Russellville, Kentucky.

14. An act to incorporate the town of Rosewood, in the county of Muhlenburg.

15. An act to amend an act incorporating the town of Sulphur, in Henry county.

16. An act to change the time of holding the Carlisle County Court.

17. An act to amend an act, entitled "An act to establish a board of commissioners for Carter county, and to define their

duties and the duties of other county officers whose duties are connected with the duties of said commissioners."

18. An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Olivet Church, near Garrettsburg, in Christian county.

19. An act to incorporate the town of Mt. Carbon, in Johnson county.

20. An act to amend an act, which was approved April 26, 1886, amending the charter of Williamstown.

21. An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Greensburg," approved April 26, 1880.

22. An act to empower the county court of McCracken county to buy stock in the gravel roads in said county, and to issue bonds to pay for same.

23. An act to amend an act, entitled "An act for the benefit of McCracken county, empowering it to issue bonds and levy and collect taxes to pay for same, for the purpose of refunding its bonds at a lower rate of interest."

24. An act to enable the Ohio County Court to appropriate money to build a bridge across Rough river between Ohio and Grayson counties.

25. An act to repeal an act, entitled "An act to regulate the jurisdiction of the Webster County Court.

26. An act to amend the charter of the town of Glasgow.

27. An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county," approved April 14, 1886.

28. An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Bullitt county," approved March 21, 1871, and all amendments thereto.

29. An act to empower the Campbell County Court to subscribe to the capital stock of turnpike roads in said county.

30. An act to amend an act to charter the town of Arlington, in Ballard now Carlisle county," approved February 5, 1876.

31. An act to amend the charter of Proctor, in Lee county.

32. An act to amend the charter of the town of Nicholasville.

33. An act to incorporate the town of Grays, in Knott county, Kentucky.

34. An act to amend the charter of the town of Allensville, Todd county, approved January 30, 1867.

35. An act to provide for the construction and repairs of public roads in Carter, Breathitt and Elliott counties.

36. An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884.

37. An act to amend and reduce into one the road laws of Greenup county.

38. An act to provide for the election of the Board of commissioners for Boone county by districts, etc.

39. An act to change the time for the meeting of the Fleming County Court of Claims.

40. An act to authorize the county levy court of Fleming county to levy an ad valorem tax for county purposes.

41. An act amending an act concerning the subscription to turnpikes in Harrison county, and compelling all turnpikes to be out of debt when the county subscription is paid hereafter.

42. An act to amend an act, entitled "An act to establish a board of county commissioners for Jefferson county," approved April 6, 1888.

43. An act for the benefit of the Pulaski County Court.

44. An act to define the mode of procedure and necessary allegation and proof upon an indictment or warrant found or issued in Logan county for violation of the prohibitory law now in effect in said county.

45. An act in relation to roads and bridges in Ohio county.

46. An act to amend an act, entitled "An act for building and maintaining of bridges on county roads in the county of Campbell.

47. An act to repeal an act for the benefit of Hamilton magisterial district, in Boone county.

48. An act to amend the charter of the town of Horse Cave, in Hart county.

49. An act to incorporate the town of Zion, in Henderson county, Kentucky.

50. An act to amend an act, entitled "An act to incorporate the town of Rowland, Lincoln county.

51. An act to amend charter of town of Trenton, Todd county.

52. An act to prohibit the sale of spirituous, vinous or malt liquors within three miles of Hopewell Church, in Allen county.

53. An act to repeal an act to amend the several acts in reference to the town of Princeton, by abolishing the office of town marshal of Princeton, approved April 4, 1884.

54. An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Newstead Presbyterian Church, in Christian county.

55. An act to amend an act, entitled "An act to amend the charter of the town of Spottsville, in Henderson county.

56. An act to incorporate the town of Lily, in Laurel county.

57. An act to amend the charter of the town of Crab Orchard, Lincoln county, Kentucky.

58. An act to repeal section 7 of an act, entitled "An act to charter the South Carrollton Male and Female Academy," approved February 23, 1874, and to place districts Nos. 12 and 19, referred to in said act, into their original places, as other common school districts in said county.

59. An act to amend an act incorporating the town of Central City, Muhlenburg county, Kentucky.

60. An act to fix the time of holding and to regulate the civil jurisdiction of quarterly court of Allen county.

61. An act to authorize the successor of G. R. Bruner, deceased, a former justice of the peace of Breckinridge county, to sign all unsigned judgments rendered by said deceased justice.

62. An act to amend, revise and reduce into one the several acts in relation to the town of Mt. Washington, in Bullitt county.

63. An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Fulton.

64. An act to amend the charter of the city of Vanceburg, in Lewis county.

65. An act to authorize the Letcher County Court to issue bonds for the purpose of building a new court-house and clerk's office in said county.

66. An act to amend the charter of the town of Sebree City, in Webster county.

67. An act to empower the county levy court of Pulaski county to provide for the immediate payment of claims against the county.

68. An act to amend the charter of the city of Ashland.

69. An act to amend an act, entitled "An act to amend and reduce into one all the several acts incorporating West Liberty, in Morgan county," approved February 25, 1884.

70. An act to incorporate the town of Denton, in Carter county.

71. An act to amend the charter of the city of Hopkinsville, in Christian county.

72. An act to repeal an act giving certain authority to the presiding Judge of the Greenup County Court, approved March 3, 1856.

73. An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount.

74. An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880.

75. An act to incorporate the town of Flat Lick, Knox county, Kentucky.

76. An act to regulate the sale of spirituous, vinous or malt liquors, or any mixtures of either, within a radius of two miles of certain church-houses in Clinton county.

77. An act changing the boundary and limits of the city of Owensboro, in Daveiss county.

78. An act to incorporate and define the corporate limits of the town of East Point, in Johnson county.

79. An act for the benefit of R. L. Ricketts and John W. Caseldine, allowing R. L. Ricketts to wind up the affairs of A. R. Ricketts, deceased, as sheriff, and allowing them further time.

80. An act for the benefit of the town of Auburn.

81. An act to authorize the board of trustees of the town of Falmouth to issue bonds for the purpose of refunding the bonded indebtedness of said town.

82. An act to prohibit the sale and manufactures of spirituous, malt or vinous liquors, or any mixture of either, in common school district No. 14, in Barren county.

83. An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Mt. Zion Church and school-house in Allen county, Kentucky.

84. An act to authorize the Johnson County Court of Levy and Claims to issue and sell the bonds of said county and provide for the payment of same for the purpose of building a court-house and clerk's offices in said county.

85. An act to amend section 3, article 2, chapter 106, of the General Statutes, so far as the same applies to Henry and Pendleton counties, etc.

86. An act to amend an act, entitled "An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884, approved 26, 1886.

87. An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884.

88. An act to prohibit the owners or bailees of horses, cattle or other animals from allowing the same to go at large in Mount Zion Magisterial District, in Grant county, and to make the owner or bailee of such animals liable for all trespasses, damages or injuries committed by them.

89. An act to provide for the registration of voters in the city of Paducah, and repealing the act approved May 10, 1886.

90. An act to regulate municipal elections in the city of Paducah.

91. An act for the benefit of the county court of Breckinridge county.

92. An act to incorporate Oil City, in Barren county.

93. An act to reduce into one and to repeal the present charter of the town of Lancaster and the several acts amendatory.

94. An act to regulate the jurisdiction of justices of the peace in the city of Louisville.

95. An act to prevent the sale of spirituous, vinous or malt liquors within a radius of two miles of the Smitsonville school-house, in Harrison county.

96. An act to prevent stock from running out upon the turnpike and public highways in the Smithfield voting precinct, in Henry county, and prescribing a penalty therefor.

97. An act to provide for removing obstructions in water courses in Marshall county.

98. An act to amend an act, entitled "An act to incorporate the town of Brandenburg," in Meade county.

99. An act for the benefit of Muhlenburg county.

100. An act to reincorporate and amend the laws of the town of Salyersville, Magoffin county.

101. An act to incorporate the Platt Deutschen Schuetzen Gessellschaft, of Louisville.

102. An act to amend an act, entitled "An act to amend and reduce into one all the acts in relation to the town of Harrodsburg," approved April 1, 1881.

103. An act to incorporate the Ashland Water Supply Company.

104. An act to regulate the sale of spirituous, vinous or malt liquors in civil district No. 3, precincts Nos. 3 and 5, in Garrard county.

105. An act to incorporate the Buckeye and Poor Ridge Turnpike Road Company, in Garrard county.

106. An act to amend an act, entitled "An act to incorporate the town of Pellville, in Hancock county.

107. An act for the benefit of S. H. Mason, late sheriff of Hancock county.

108. An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Macedonia Baptist Church, Grant county.

109. An act to amend an act in relation to the charter of Tyronne, in Anderson county, approved April 24, 1884.

110. An act to amend an act, entitled "An act to incorporate the Deposit Bank of Beattyville," approved May 4, 1888.

111. An act to create a board of commissioners for Letcher county, to prescribe their powers and duties and to authorize them to issue bonds for certain purposes.

112. An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Shelbyville," approved March 22, 1873.

113. An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 7th, 8th, 10th, 12th, 16th, 17th, 35th, 37th, 39th, 40th, 65th, 68th, 70th, 72d, 78th, 84th, 94th and 111th to the Committee on Courts of Justice; the 4th, 5th, 29th and 46th to the Committee on Immigration and Labor; the 9th, 11th, 18th, 28th, 52d, 54th, 69th, 82d, 95th, 100th, 108th and 113th to the Committee on Religion and Morals; the 13th, 14th, 19th, 24th, 27th, 34th, 44th, 59th, 60th, 61st, 62d, 71st, 74th, 77th, 80th, 83d, 85th, 91st, 98th, 99th, 101st, 106th, 107th and 112th to the Committee on General Statutes; the 15th to the Committee on Public Expenditures; the 20th and 81st to the Committee on Revenue and Taxation; the 21st, 22d, 23d, 48th, 50th, 57th, 102d and 109th to the Committee on the Judiciary; the 25th, 33d, 43d, 53d, 66th, 67th, 75th, 79th and 96th to the Committee on Codes of Practice; the 26th, 31st, 38th, 47th, 56th, 88th, 92d and 97th to the Committee on Propositions and Grievances; the 30th, 41st, 64th, 86th and 110th to the Committee on Agriculture and Manufactures; the 32d, 36th, 42d, 45th and 87th to the Committee on Internal Improvements; the 49th, 55th and 73d to the Committee on Federal Relations; the 58th to the Committee on Education; the 63d to the Committee on Library, Public Buildings and Offices; the 89th and 90th to the Committee on Privileges and Elections; and the 3d, 6th, 51st, 76th, 93d, 103d, 104th and 105th named bills were severally ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the

following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Farmers' and Mechanics' Building and Loan Association of Bowling Green, Kentucky.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to allow the Marshall County Court of Claims to levy an ad valorem tax for general county purposes.

By same—

An act empowering Lyon county to compromise its debts and for the purpose to levy and collect taxes and to elect sinking fund commissioners.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Camp Creek, Oakland, Flat Run and Towersville Turnpike Road Company, in Bracken county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend the charter of the town of Petersburg, in Boone county, extend the boundary limits of said town and grant additional powers.

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county," approved May 1, 1884.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Silver Creek, Scaffold Cove and Mt. Vernon Turnpike Company.

By same—

An act to incorporate the Wallace Mill Turnpike Road Company.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate Three Forks City, in Lee county.

By Mr. Lunsford, from the Committee on Internal Improvements—

An act to regulate the working and laying out of public roads in Clinton county, Kentucky.

By same—

An act to levy a tax and provide for the improvement of roads in Adair and Laurel counties.

By Mr. English, from the same committee—

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wright—

1. A bill for the benefit of G. W. Hunter.

On motion of Mr. Patteson—

2. A bill to incorporate the Springfield and Cartwright's Creek Turnpike Road Company, in Washington county.

On motion of same—

3. A bill to amend an act approved April 19, 1886, entitled "An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the county judges, justices of the peace and police justices and other officers when sitting in examining courts."

On motion of Mr. Lunsford—

4. A bill to incorporate the town of Barnsby, in Hopkins county.

On motion of Mr. Paul—

5. A bill to incorporate the Pineville Water Company, of Bell county.

On motion of Mr. Glenn—

6. A bill to amend an act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company.

On motion of same—

7. A bill to amend an act, entitled "An act to incorporate the Paducah and North Ballard Turnpike Company."

On motion of Mr. McCain—

8. A bill to prevent drunkenness in the counties of the Twenty-first Senatorial District, and provide punishment for the violation therefor.

On motion of same—

9. A bill to regulate the sale of spirituous, vinous and malt liquors in Trimble county, and prescribing penalties for violations of the same.

Ordered, That the Committee on Claims prepare and bring in the 1st; the Committee on Codes of Practice the 3d and 5th; the Committee on Internal Improvements the 2d; the Committee on Propositions and Grievances the 4th; the Committee on Agriculture and Manufactures the 6th and 7th, and the Committee on Religion and Morals the 8th and 9th.

Mr. Breckinridge moved to reconsider the vote by which the Senate had disagreed to a bill which originated in the House of Representatives, entitled

An act for the benefit of W. S. Stone, of Daveiss county.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Breckinridge—

Ordered, That said bill be recommitted to the Committee on Claims.

By unanimous consent the rules were suspended and the Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to further regulate municipal elections in the city of Covington.

The House of Representatives having refused to concur in the amendment adopted by the Senate to said bill,

The question was then taken, "Shall the Senate recede from its amendment?" and it was decided in the negative.

So the Senate adheres to its amendment to said bill.

By unanimous consent the rules were suspended and the Senate took up for consideration the amendment adopted by the House of Representatives to the amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to provide for a registration of voters in the city of Covington.

And the question being taken on concurring in the adoption of said admendment, it was decided in the negative.

By unanimous consent the rules were suspended, and Mr. Poyntz reported a bill, entitled

An act to appropriate and set apart twenty-five thousand dollars as a fund for the relief of the sufferers in the cyclone on the night of March 27, 1890.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That the further consideration of said bill be postponed until to-morrow, and be given on that day precedence over all other bills.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to provide for the establishment of Graded Common Schools Districts and Schools in this Commonwealth.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be the duty of the county judge in each county in this Commonwealth, upon a written petition, signed by at least ten legal voters, who are tax-payers in any civil district, town or city in his county, to make an order on his order-book, at the next regular term of his court after he receives said petition, fixing the boundary of any proposed graded common school district, as agreed on with the petitioners, and directing the sheriff, or other officer whose duty it may be to hold the election, to open a poll in said proposed graded common school district, town or city, at the next regular State, town or city election to be held therein, or on any other day fixed by said judge in said order, for the purpose of taking the sense of the legal white voters in said proposed graded common school district, town or city, upon the proposition "whether or not they will vote an annual tax, in any sum named in said order, not exceeding fifty (50) cents on each one hundred dollars (\$100) of property assessed in said proposed graded common school district, town or city belonging to said white voters, or a poll-tax in any sum named therein, not exceeding two (2) dollars per capita, on each white male inhabitant over twenty-one

(21) years of age residing in said proposed graded common school district, town or city, or both an ad valorem and poll-tax, if so stated in the said order, for the purpose of erecting suitable buildings and maintaining a good graded common school in said proposed graded common school district, town or city, or for the payment of principal and interest on any such bonds not exceeding——dollars (the amount to be named in said order), as the board of trustees of said proposed graded common school district may issue and sell under the provisions of this act, for the purposes aforesaid, not, however, exceeding in amount the sum of fifteen thousand (\$15,000):” *Provided*, That the proposition to establish any graded common school district and school as provided for in this section, is indorsed in writing on the petition to the county judge, by a majority of the trustees of any common school district, included wholly or partly within the boundary of said proposed graded common school district, and approved in writing on said petition, by the county superintendent of common schools: *And provided, further*, That no point on the boundary of any proposed graded common school district is over two-and-one-half miles from the site of its proposed school-house.

§ 2. It shall be the duty of the county court clerk to give to the sheriff, or other officer whose duty it shall be to hold the election mentioned in section 1 of this act, a certified copy of the order of the judge of the county court as it appears in his order-book, within ten days after said order is made.

§ 3. It shall be the duty of the sheriff, or other officer whose duty it may be to hold the election mentioned in section 1 of this act, to have the order of the judge of the county court published in some weekly or daily paper published in the county, for at least two weeks before the election, and, also, to advertise the same by printed or written hand-bills, posted at five conspicuous places in said proposed graded common school district, town or city, for the same length of time; but if there is no daily or weekly newspaper published in the county, the printed or written hand-bills, posted as before provided for, shall be sufficient notice. The sheriff or other officer whose duty it shall be to hold the election mentioned in section one, shall have the advertisement inserted, and notices herein provided for posted, within ten days after he receives the order of the county judge, and at least twenty days before the election.

§ 4. It shall be the duty of the sheriff, or other officer whose duty it may be to hold the election mentioned in section 1 of this act, to open a poll, and the election officers shall propound to each voter who may vote, the question: “Are you in favor of levying an annual tax of —— cents (the amount named in the order of the county judge, but not exceeding fifty (50) cents) on the one hundred dollars, or a poll-tax of —— dollars (the amount named in said order not exceeding two dollars) on each white male resident in this graded common school district, town or

city (or both the ad valorem and poll tax, if so ordered by said county judge in said order), for the purpose of erecting and furnishing suitable buildings, and maintaining a graded common school in this graded common school district, town or city, or for paying the principal and interest on any such bonds not exceeding—dollars (the amount named in said order), as the trustees of said district, town or city may issue and sell for the purposes aforesaid (not exceeding, however, the sum of fifteen thousand dollars) (\$15,000)?” and his vote shall be recorded for or against the same, as he directs; the poll-books shall be returned as other poll-books in said county, and shall be examined and compared by the same officers.

§ 5. If it shall appear that a majority of the votes cast at the said election were in favor of said tax, then it shall be the duty of the county judge to cause the certificate of the examining board showing the amount of tax voted, the amount for which bonds may be issued, and the names of the six trustees elected, to be entered of record in the order-book of his court, and by and with the assistance of the county superintendent of common schools in said county to organize a graded common school in said district, town or city, in accordance with the provisions of this act.

§ 6. The graded common school districts, when organized as aforesaid, are hereby incorporated, and each of them shall be under the management and control of a board of six trustees, the first board to be elected at the same time and place, and by the same persons who vote at the election for the tax, as provided in sections 1 and 4 of this act; and the six persons receiving a majority of the votes cast shall be declared elected trustees.

§ 7. The persons so elected shall be named and styled “The Board of Trustees of the _____ Graded Common School District,” and in that name may sue and be sued, contract and be contracted with, and, as a natural person, may acquire, hold, dispose of and convey, by purchase, gift, devise, or otherwise, any real or personal estate, goods and chattels, necessary and convenient for the uses and purposes of said graded common school; and the title to all such property shall vest in said board of trustees and their successors in office, to be held sacred for the use and benefit of said graded common school district.

§ 8. The trustees thus elected shall be divided by lot into three classes, to hold their offices for one, two and three years respectively—that is, the two trustees who shall, by lot, be assigned to the first class, shall hold their offices until the first Saturday in June next after their election, and until their successors have been elected and have qualified; and their successors shall be elected on that day, in the same manner as trustees of common schools are elected, and hold their offices for three years, and until their successors shall have been elected and qualified; and the two trustees assigned by lot to the second class shall hold their offices for two years, or until the first

Saturday in June next after the expiration of the term of office of the first class, and their successors shall be elected on that day as trustees of common schools are elected, and shall hold their offices for three years, and until their successors have been elected and qualified; and the two trustees assigned by lot to the third class shall hold their offices for three years, or until the first Saturday in June next after the expiration of the term of office of the trustees of the second class, and their successors shall be elected on that day as trustees of common schools are elected, and shall hold their offices for three years, and until their successors shall have been elected and qualified; and, after said first election and organization of any graded common school district, there shall be two trustees elected, as aforesaid, on the first Saturday in June of each year, who shall qualify on the first Monday in July next after their election, or as soon thereafter as may be, and hold their offices for the term of three years, and until their successors shall have been elected and have qualified. If, at any time, there should be a vacancy in said board, the same shall be filled by the remaining members, and the person appointed to fill such vacancy shall hold his office until the expiration of the term for which his predecessor was elected or appointed.

§ 9. Said trustees, before entering upon the discharge of their duties, shall each take an oath to faithfully perform the duties required of them under this act.

§ 10. Said trustees may adopt such by-laws and rules for the government of themselves and their appointees, and for the control, government and management of the graded common schools in their respective districts, as they may deem necessary, not inconsistent with the Constitution and laws of this State or of the United States, and shall keep a journal of their proceedings, which shall be open at all times to the inspection of any citizen of the graded common school district in which he or she may reside.

§ 11. Said trustees shall appoint and employ the principal and all teachers, and fix their compensation, and may suspend or dismiss them, or any other person appointed or employed by them; may prescribe the branches (other than those required by law to be taught in the common schools) which may be taught in said graded common schools, and prescribe the necessary qualifications and the mode of examination of all applicants for positions as principals or teachers in said graded common schools; but no person shall be appointed or employed as principal or teacher in any graded common school organized under the provisions of this act who is not a person of good moral character, and who has not a county certificate, as required by the common school law of Kentucky.

§ 12. The said trustees shall elect one of their number president, who shall preside at their meetings, and perform such other duties as may be required of him; and they may elect a

secretary and prescribe his duties. The president and secretary, or either of them, shall make such reports to the county superintendent as are required of common school trustees, and shall publish annually such information as will show the financial condition of the graded common school district, and such other facts as they may deem beneficial to the cause of education in their respective districts.

§ 13. Every white child within the common school ages residing in any graded common school district shall have the right of free admission to all the classes in their respective graded common schools.

§ 14. The trustees may admit into said graded common schools children who do not reside within the said district, or persons over the common school age, or who have advanced beyond the common school studies, on such terms and conditions, and upon the payment of such tuition and other fees as they may deem proper.

§ 15. Said board of trustees shall have power to appoint a treasurer for said graded common school district, who, before entering upon the duties of his office, shall execute bond, with securities approved by said board, running in the name of the Commonwealth of Kentucky, for the use and benefit of the trustees of said graded common school district, conditioned for the faithful performance of his duties under this act. All funds arising from the sale of bonds under this act, and all funds collected for the purpose of defraying the annual expenses of said schools, and for the payment of the principal and interest of said bonds, or for any other purpose, shall go into the hands of said treasurer, who shall, together with his sureties, be responsible therefor. Said treasurer shall pay out said funds only for the purposes for which they were respectively collected, upon the written order of the president and secretary of said board of trustees. The board of trustees shall pay its treasurer such sum for his services as shall be reasonable and just.

§ 16. The county superintendent for common schools shall annually pay to the treasurer of any graded common school district that may be organized and operating in his county in conformity with this act, the *pro rata* portion of the *per capita* of the State and county funds that may be the due of said district, according to the number of pupils therein between the ages of six (6) and twenty (20) years of age, as soon as the same shall come into his hands.

§ 17. Said board of trustees shall provide [funds] for purchasing suitable grounds and buildings, or for erecting suitable buildings, and for other expenses needful in conducting a good graded common school in their respective graded common school districts; and to this end, it shall be the duty of said board of trustees, in their discretion, and they are hereby authorized and empowered to issue the bonds of their respective graded common school districts in such an amount, not exceeding in the

aggregate the amount named in the order of the county judge, and voted for under the provisions of this act, as may be necessary to provide suitable grounds and school buildings and furniture and apparatus (but the amount of bonds shall not exceed fifteen thousand dollars (\$15,000) for any graded common school district). The said bonds may be of any denomination, in even hundreds, not exceeding one thousand dollars each, running not exceeding thirty years, and bearing interest at a rate not exceeding six per cent. per annum, payable annually or semi annually, as expressed in said bonds, payable to bearer, with interest coupons attached. They shall be signed by the president of said board of trustees, and attested by the secretary thereof, and shall pass by delivery, and shall be redeemable at the option of said board. Said bonds shall be sold by the trustees or their authorized agent for the highest price obtainable, but not for less than their face par value, and the proceeds paid over to the treasurer and applied to the uses and purposes contemplated in this act.

§ 18. For the purpose of providing a fund for the payment of said bonds, the said trustees shall create a sinking fund from the surplus of each year's taxes, after paying the interest on said bonds, and the legitimate expenses of said graded common schools, which surplus shall be used in purchasing any of said bonds at not above par value, or safely invested by said trustees so as to yield a revenue to pay interest and principal of said bonds at maturity.

§ 19. The board of trustees in any graded common school district where the tax has been voted shall cause to be levied and collected an annual tax, in any sum not exceeding the amount voted for in said district, under the provisions of this act, upon each one hundred dollars' worth of property of every kind and character having value and owned by any white person, company or corporation, subject to taxation, within the limits of said graded common school district (and shall also cause to be levied annually a capitation or poll-tax in any sum not exceeding the amount voted for in said district under this act, on each white male citizen residing within the limits of any graded common school district over twenty-one years of age: *Provided*, That the levy of said capitation tax has been voted).

§ 20. The assessments made by the county assessors each year are hereby adopted in all cases as the assessments for graded common school purposes, except as to railroads and other companies or corporations, assessed by the State in some other mode, and in that case, the assessment so made by the State, through the Auditor's office, or otherwise, is hereby adopted as the assessment of such property for graded common school purposes. If the owner of any property so listed, claims that the valuation so made is excessive, he shall have the right to bring the matter before the trustees for correction, if done within thirty (30) days after the assessor returns his lists. The board

of trustees shall hear the complaints, and shall make any corrections that seem to them proper, and, if any of said assessments seem too low, the board may, on their own motion, cite the owners or their agents before them by written notice, and, after hearing same, shall correct the valuation made by the assessor as to them seems just and equitable.

§ 21. The sheriff or collector, if the trustees so direct, shall collect these taxes in the same manner as the State revenue is collected, and shall have the same power and authority in the collection of said taxes as is conferred on sheriffs or revenue collectors of this Commonwealth in the collection of the State revenue. The sheriff shall act under his official bond, but the collector shall execute bond running in the name of the Commonwealth of Kentucky, for the use and benefit of the graded common school trustees, for which the tax is collectable, with good and sufficient security, to be by said board approved, for the faithful performance of his duties, with the same penalties as are, or may be, prescribed by law for sheriffs in the collection of said State revenue, and said board shall fix and allow his compensation, but not greater than is allowed by law for collection of State revenue. The said sheriff or collector shall be responsible on his bond for any and all delinquencies as collectors of the State revenue. The tax shall be collected and paid over to the treasurer, by the time, and in the manner, the State revenue is collected and paid over.

§ 22. The title to all common school property in the limits of any graded common school district organized under the provisions of this act shall be, and the same is hereby, vested in the board of trustees of said graded common school district, and they are hereby authorized and empowered to sell and convey the same, or to use the same for graded common school purposes as to them shall seem best.

§ 23. After the first election provided for in this act shall have been held, the tax voted, trustees elected, and the graded common school organized, the board of trustees shall appoint the officers to hold all other elections, which officers shall be under the same responsibilities and subject to the same penalties as the officers holding State or county elections, only they shall make returns of poll-books, and certify the result of the elections to the board of trustees, who shall examine and compare the same, and issue certificates to the persons found to be elected.

§ 24. The provisions of this act shall apply to such graded common school districts as may be applied for and organized by the colored people of this Commonwealth, and such districts graded schools may be organized by them, in all cases the same as the white districts herein provided for are organized; and in that case the word "white," wherever it occurs heretofore in this act, is to be read "colored:" *Provided*, No white person shall vote at any election held by the colored people

under the provisions of this act; nor shall the property of any white person be taxed to maintain any colored graded common school; nor shall the property of any colored person be taxed for the benefit of any graded common white school; nor shall any white child attend any colored graded common school organized under the provisions of this act; nor shall any colored child attend any white graded common school.

§ 25. This act shall take effect from its passage.

Mr. Peterman proposed the following amendment to said bill, which was adopted, viz:

Amend Senate Bill 221 as follows: After the word "on," in line 8, section 1, insert the words "by the county judge and." Insert the word "approved" instead of the word "indorsed," in line 34, section 1. Add, at the close of section 1, the following: "And the location and site of said school-house in said district is set out with exactness in said petition to the county judge."

Add, at the close of section 4, the following: "*Provided*, That the cost of such school buildings and grounds shall not exceed fifteen thousand dollars."

Add, at the close of section 22, the following: "*Provided*, That said property is within the limits or boundary of said graded common school district."

Strike out the words "two weeks," in line 5, section 3, and insert in lieu thereof the words "forty days."

Strike out the words "twenty days," in line 15, section 3, and insert in lieu thereof the words "forty days."

After the word "shall" and before the word "execute," in line 3, section 15, insert the words "in the county court."

Strike out the words "said board," in line 4, section 15, and insert the words "the court."

Strike out the words "fifteen thousand dollars," in lines 12 and 13, section 17, and insert in lieu thereof the words "five per cent. of the taxable property of said graded common school district."

Strike out word "for," in line 10, section 19.

Strike out all of section 19 after word "age," in line 12.

Add to section 19 the following: "The board of trustees shall, out of collections each levy, by order, set apart a sufficient amount to pay interest for the year on any bonds issued, and the treasurer shall pay same, and, in addition, shall, out of the several levies until entire payment of such bonds, set apart a sufficient amount as a sinking fund when aggregated to meet the principal of the bonds at maturity, which sinking fund shall be kept loaned or profitably invested, and shall be used for no other purpose than the payment of principal of such bonds; but, if the board so order, it, or any part thereof, may be used in purchase of such bonds before maturity, except a

sufficiency to pay said interest and create said sinking fund. A vote in favor of the tax provided for in this act shall not authorize more than three annual levies of same; but after the three annual levies authorized by any vote another vote for a like number of levies may be had upon like petition, and in like manner as hereinbefore provided. In no event, however, shall the board omit to make and cause to be collected and applied a sufficient annual tax to pay such interest and create such sinking fund until the entire bonded debt authorized by a first vote shall have been paid, and this duty shall in no wise be affected by result of any vote subsequent to the first."

Strike out the words "the sum of fifteen thousand" in lines 31 and 32, and insert instead thereof the words "the taxable property of the district.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Breckinridge offered the following amendment to said bill, viz:

Amend by adding the words "by the county judge and," in line 8, section 1, after the word "on," in said line, and striking out "with."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Breckinridge moved that the further consideration of bills, made the special orders of the day, be postponed for the day.

And the question being taken thereon, it was decided in the affirmative.

The hour of 12 o'clock M. having arrived, the Speaker announced the orders of the day.

Mr. Hendrick moved that the orders of the day be postponed for the day.

And the question being taken thereon, it was decided in the negative.

The Senate, according to order, took up for consideration the joint resolution heretofore offered by Mr. Glenn, entitled

Resolution of inquiry as to condition of capitol buildings and their occupancy by private individuals for private purposes.

(For Resolution see page 781 this Journal.)

By unanimous consent, Mr. Glenn was permitted to withdraw said resolution from the further consideration of the Senate.

The Senate, according to order, took up for consideration the joint resolution heretofore offered by Mr. Poyntz, entitled

Resolution providing for the loan of guns belonging to the State to certain persons and organizations.

(For resolution, see Senate Journal March 22d.)

The question being upon the adoption of said resolution,

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration the joint resolution heretofore offered by Mr. Glenn, entitled

Resolution authorizing the State Teachers' Association to occupy Senate Chamber and House of Representatives for their June session, 1890.

(For resolution, see Senate Journal, March 26th.)

The question being on the adoption of the amendment heretofore offered by Mr. Darby, to strike out the words "Senate Chamber" in said resolution,

By unanimous consent, Mr. Darby withdrew said amendment from the further consideration of the Senate.

Mr. Darby moved to amend said resolution as follows, viz :

"The use of Senate Chamber shall be such as not to interfere with sittings of the Superior Court."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act authorizing and directing the Secretary of State to

furnish the county of Rowan with two sets of reports of the Court of Appeals for use in the county and circuit court clerk's offices in said county.

(For bill see page 757 of this Journal.)

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled
An act for the benefit of John Ketchem.

(For bill see Senate Journal March 21st.)

The question pending being upon the motion heretofore entered by Mr. Glenn, to reconsider the vote by which the Senate had disagreed to said bill,

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	A. L. Peterman,
W. F. Berry,	J. B. Hannah,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	Chas. B. Poyntz,
R. J. Breckinridge,	J. P. Huff,	B. F. Reynolds,
B. F. Cockrell,	John R. Kemp,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	J. H. Shearer,
F. W. Darby,	J. W. McCain,	A. H. Stewart,
W. W. Dickerson,	John McCann,	G. Terry,
Sam E. English,	John P. Newman,	J. S. Wortham,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—32.
William Goebel,	J. J. Paul,	

Those who voted in the negative—none.

The Senate, according to order, took up for consideration the

motion heretofore entered by Mr. Glenn, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville, in Lyon county,' " chapter 221, Acts General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

On motion of Mr. Hendrick—

Ordered, That said bill be recommitted to the Committee on the Judiciary.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud horses, jacks and bulls of this Commonwealth.

(For bill see Senate Journal January 31st, page 312.)

The question being taken upon the passage of said bill,

Mr. Breckinridge moved to postpone the further consideration thereof indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Anderson and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	T. L. Glenn,	J. J. Paul,
Reuben Conner,	William Goebel,	J. M. Pieratt,
F. W. Darby,	J. B. Hannah,	J. H. Shearer,
W. W. Dickerson,	Chas. Patteson,	A. H. Stewart—12.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	Chas. B. Poyntz,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	Phil Roberts,

B. F. Cockrell,	D. L. May,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham,
R. G. Hays,	John P. Newman,	D. W. Wright—19.
John K. Hendrick,		

Mr. Breckinridge moved to reconsider the vote by which the Senate refused to postpone the further consideration of said bill indefinitely.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the negative, a quorum of the Senate not voting.

The yeas and nays being required thereon by Messrs. Breckinridge and Reynolds, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	J. S. Wortham—14.
John K. Hendrick,	J. J. Paul,	

Those who voted in the negative, were—

Reuben Conner,	D. L. May,	J. M. Pieratt—4.
R. G. Hays,		

Mr. Newman moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, April 2, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the benefit of Pewee Valley Hotel Company,

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Washington county, by which the

Washington County Court is authorized to lease the turnpike roads in said county, purchase the stock of any stockholder in any turnpike company, and manage and control said turnpikes, and make the same free for travel ;

An act to prohibit the sale of spirituous, vinous or malt liquors within a radius of two miles of Mt. Hebron Baptist Church, in the county of Garrard ;

An act to incorporate the Lexington and Richmond Railway Company ;

An act to incorporate the Central Trust Company of Owensboro ;

An act to incorporate the Central Electric Company ;

An act to amend an act to prohibit the sale of spirituous, vinous or malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley, and Clay ;

An act to change the boundary line of Laurel and Clay counties ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Lexington Hydraulic and Manufacturing Company,' " approved March 22, 1890 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Harrod's Run Turnpike Road Company, in Boyle county ;

An act to incorporate the Jones' Mill and Rocky Branch Turnpike Company, in Franklin county ;

An act to prevent cattle or any kind of stock from running at large on the turnpike roads in Robertson county ;

An act to amend an act, entitled "An act to incorporate the town of Port Royal, in Henry county," and the amendment thereto ;

An act to charter the Little Jordan Turnpike Road Company ;

An act to incorporate the Jeffersontown and Seatonville Turnpike Road Company ;

An act to amend the charter of the Cabin Creek Turnpike Road Company ;

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Hendrick, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Kentucky Rock Gas Company,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hendrick moved to reconsider the vote by which the Senate had passed said bill.

Mr. Hendrick moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to further regulate municipal elections in the city of Covington.

By same—

An act to provide for a registration of voters in the city of Covington.

By Mr Hendrick, from the Committee on the Judiciary—

An act to incorporate the city of Grand Rivers, of Livingston county.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Mitchellsburg and Rolling Fork Turnpike Road, in Boyle county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to authorize an increase of the number of directors in the Bank of Kentucky and its branches.

By Mr. Wright, from the Committee on General Statutes—

An act for the benefit of Katy Ann Gillen, of Bath county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Earl-ington,” approved March 10, 1886.

By same—

An act to empower the trustees of Macedonia Church near Hanson, in Hopkins county, to sell the church lot and build-ings, and reinvest the proceeds in another House of worship,

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

SATURDAY, MARCH 29, 1890.

The Speaker of the Senate being absent, at his request Mr. Peterman took the Chair and presided.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate Breathitt Lodge, U. D. F. & A. M., of Breathitt county.

An act to incorporate the Gibson Lodge No. 553, of Free and Accepted Masons.

An act to incorporate the Grand Lodge of the Order of Adherents of the High Mogul, and to authorize said lodge to grant charters to subordinate lodges of said order, and to organize a mutual benefit society.

An act to incorporate the Big Hill and Manchester Railroad Company.

An act to prohibit the sale of spirituous, vinous or malt liquors in the town of Butler, Pendleton county.

That they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale of spirituous, vinous or malt liquors or fermented or hard cider in the Hendron District, in Washington county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the town of Berea, in Madison county, Kentucky.

An act to amend an act, entitled "An act to incorporate the Kentucky Rock Gas Company."

That they had passed bills of the following titles, viz :

1. An act to prohibit the sale of spirituous, vinous or malt liquors, or mixtures of same, or any other intoxicating drink within a radius of two miles of Locust Grove Church, in Clinton county.

2. An act to authorize the county court of Mercer county to

surrender and cancel its stock in the Harrodsburg and Chaplin River Turnpike Road Company, from Dixville to Stuarts, and convert same into a county road.

3. An act to provide for levying a tax and working the public roads of Carlisle county.

4. An act to incorporate the Patterson Literary Society of the Agricultural and Mechanical College of Kentucky.

5. An act to prevent the sale of spirituous or malt liquors within a radius of one and one half of the Beard Presbyterian Church, in Scott county.

6. An act to change the boundary lines between Washington, Anderson and Mercer counties.

7. An act to amend an act to create the office of treasurer in Ballard county, and to regulate the fiscal affairs of said county," approved February 6, 1888.

8. An act to amend an act to incorporate the town of Bardwell, in Ballard, now Carlisle county.

9. An act to amend the charter of the town of Burgin, in Mercer county,

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 5th to the Committee on Religion and Morals; the 2d, 6th and 9th to the Committee on the Judiciary; the 3d, 7th and 8th to the Committee on Agriculture and Manufactures, and the 4th to the Committee on Education.

A message was received from the Governor by Hon. Willis Ringo, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to create a turnpike road district in the Verona magisterial district of Boone county, Kentucky, and to provide funds for the purpose of building turnpike roads in said district.

An act to amend the charter of the Owensboro Safety Vault and Trust Company.

An act for the benefit of Monroe county.

An act to repeal an act, entitled "An act for the benefit of

the Grand Lodge of Kentucky," approved January 27, 1815, and all amendatory acts in reference thereto.

An act to amend the charter of the West View Building Company, and to change its name.

An act to authorize the court of claims of Livingston county to levy an ad valorem tax for bridge purposes.

An act to repeal an act, entitled "An act providing for the election of a surveyor in the city of Louisville and in the county of Jefferson, chapter 1636, vol. 2, Acts 1883 and 1884."

An act to declare Lower Devil Creek, in Wolfe county, Kentucky, navigable.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors, or a mixture of either, or hard or fermented cider, in Spurlington, Kentucky, or within three miles thereof, in Taylor county."

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within two miles of the church-house of the United Baptist at Seventy-six, in Clinton county.

An act to create the office of Commissioner of Bonds for the city of Louisville.

A message was received from the Governor by Hon. Willis L. Ringo.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, March 29, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits designated, and respectfully ask your advice and consent thereto :

A. M. J. Cochran, Mason county.
Teresa A. Clements, Fayette county.
R. S. Crawford, Whitley county.
Claude W. Duncan, Muhlenberg, county.
C. A. Epes, Hart county.
W. W. Kimbrough, Harrison county.
F. W. McIlrain, Henry county.
H. P. Montgomery, Jr., Scott county.

Samuel J. Morton, Adair county.
Hendan Morris, Jefferson county.
John Ouerbacker, Jefferson county.
Geo. E. Ryan, Wayne county.
Jonas Robb, Mercer county.
C. D. Thompson, Mercer county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Patteson was appointed a committee to ask the withdrawal of the announcement of the disagreement by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. M. Howard, of Laurel county.

After a short time, Mr. Patteson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Roberts moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Hendrick, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the Eastern Kentucky Title Company,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was rejected.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill which originated in the House of Representatives, entitled

An act for the benefit of Henry Mallory, William Smith and Jas. Martin, of Henry county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third

reading, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Patteson, from the Committee on Printing, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution directing the Public Printer to print and bind various constitutions for use of Constitutional Convention,

Reported the same with the expression of opinion that said resolution ought not to be concurred in.

Said resolution reads as follows, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Public Printer be, and he is hereby, directed to print and have well bound for the use of the members of the Constitutional Convention 200 copies of a complete collection of all the constitutions of the States of this Union. Said book to be delivered by said Public Printer to said members as soon as they are elected in August next: *Provided*, That the call for said convention shall be made by the present General Assembly.

2. This resolution to have effect from its passage.

And the question being taken on concurring in the adoption of said resolution, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative—J. J. Paul—1.

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	J. M. Pieratt,
Ben F. Bradley,	D. L. May,	Phil Roberts,
R. J. Brekinridge,	James H. Mulligan,	J. H. Shearer,
Reuben Conner,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	J. S. Wortham—20.
John R. Kemp,	A. L. Peterman,	

So said resolution was disagreed to.

A message was received from the House of Representatives

requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county,

Which was granted.

Whereupon the Speaker appointed Mr. Lindsay said committee on the part of the Senate.

After a short time Mr. Lindsay, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Lindsay moved to reconsider the vote by which the Senate had passed said bill,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in House Representatives, entitled

An act to amend an act incorporating the town of Pleasureville, in Henry county,

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. McCain—

Ordered, That said bill be recommitted to the Committee on Public Expenditures.

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act permitting the people of Owen county to vote upon the question of the sale of liquor in said county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Mt. Carbon, in Johnson county,

Which was granted, and said bill was delivered to the messenger.

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was referred a bill which originated in the Senate, entitled

An act to prevent shipping for market partridges out of McLean and Daveiss counties within two years.

Together with an amendment thereto adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was recommitted a bill which originated in the Senate, entitled

An act to incorporate the Big Hill Mining and Investment Company,

Reported the same, without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Newman moved that when the Senate adjourns for the day that it be to meet on Wednesday, April 2, 1890, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to reconsider the vote by which the Senate had agreed to fix Wednesday, April 2, 1890, at 11 o'clock A. M., as the day to which it would adjourn.

Mr. Newman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn moved that the special orders of the day be postponed for the day and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act imposing a tax on dogs in Fayette county, and providing for its collection and appropriation for the payment of sheep killed by dogs in said county,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mulligan moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill which originated in the House of Representatives, entitled

An act requiring watchmen to be kept at certain crossings

of highways by railroads in Fayette county and fixing penalties,

Reported the same without amendment.

Mr. Mulligan proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz :

An act requiring watchmen to be kept at certain crossings of highways by railroads in Fayette county, and fixing penalties for failures to comply with the provisions of this act.

Leave was granted to bring in the following bills, viz :

On motion of Mr. May—

1. A bill to authorize the voters of Powell county to vote on the question of removing the county seat to Clay City.

On motion of same—

2. A bill to amend an act to authorize the Powell County Court to issue and sell the bonds of said county for the purpose of building a court-house and jail in said county, approved January 28, 1890.

On motion of Mr. Hannah—

3. A bill to change and fix the time of holding the courts in the Thirteenth Judicial District.

On motion of same—

4. A bill to prevent fast riding and driving across bridges in Elliott county.

On motion of Mr. Stewart—

5. A bill to amend an act to create a board of commissioners for Pike county, prescribing their duties and authorizing said commissioners to issue bonds of said county, and to provide certain books for said commissioners.

On motion of same—

6. A bill to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county."

On motion of Mr. Mulligan—

7. A bill to amend an act, entitled "An act to incorporate the Mechanics' Building and Loan Association of Lexington."

On motion of Mr. Patteson—

8. A bill to incorporate the Campbellsville, Elkhorn and Mannsville Turnpike Road Company, in Taylor county.

On motion of Mr. Breckinridge—

9. A bill to incorporate the Danville Street Railway Company.

On motion of Mr. Lindsay—

10. A bill to amend the charter of the Deposit Bank of Russellville.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st and 2d ; the Committee on Courts of Justice the 3d ; the Committee on General Statutes the 4th ; the Committee on Propositions and Grievances the 5th, 6th and 8th ; the Committee on Banks and Insurance the 7th and 10th, and the Committee on Railroads the 9th.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Berry, from the Committee on Federal Relations—

An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount.

By Mr. Hendrick, from the Committee on the Judiciary—

An act in relation to roads and bridges in Calloway county.

By same—

An act for the benefit of E. C. Flanary, late sheriff Crittenden county, Kentucky.

By same—

An act to authorize the county court of Casey county, Kentucky, to take stock in turnpike roads and for other purposes.

By same—

An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county, approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds and levy and collect taxes to pay the same, approved April 1, 1882.

By same—

An act for the benefit of J. P. Pierce, late sheriff of Crittenden county, Kentucky.

By Mr. Breckinridge, from the same committee—

An act to amend the charter of the Perryville and Mitchellsburg Turnpike Road Company.

By same—

An act to incorporate the Liberty and Rolling Fork Turnpike Road Company, in Casey county.

By same—

An act to charter the Liberty and Casey's Creek Turnpike Road Company, in Casey county.

By same—

An act to amend an act, entitled "An act to amend an act incorporating the Lancaster and Sugar Creek Turnpike Road Company.

By Mr. Terry, from the Committee on Military Affairs—

An act to authorize the printing of a roster of the officers and soldiers from Kentucky in the war of 1812-15.

By same—

An act to authorize the procuring of copies of the muster rolls of the several military organizations from Kentucky in the Confederate army, and for their preservation when obtained.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act to prevent bulls and boars from running at large in Breckinridge county.

By same—

An act to declare Bull creek, in Leslie county, a navigable stream.

By same—

An act to declare the Right Fork of Greasy creek, in Johnson county, a navigable stream.

By same—

An act declaring the East Fork of Goose creek, in Clay county, a navigable stream.

By same—

An act to declare Leatherwood creek, in Perry county, a navigable stream.

By same—

An act declaring Buffalo creek, in Owsley county, a navigable stream.

By same—

An act to declare Woodcock's branch, in Henry county, a navigable stream from Grubridge Church to Big Six-mile creek.

By same—

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank, of Eminence, Kentucky," approved May 12, 1886, empowering said bank to act as trust and safety vault company.

By Mr. Conner, from the same committee—

An act to incorporate the Beaver Lick and South Fork Turnpike Road Company, in Boone county.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Mitchellsville and Dry Creek Plank Road Company, in Boone county,'" approved February 2, 1866.

By same—

An act to increase the jurisdiction of magistrates in Walton Magisterial District, in Boone county.

By same—

An act to incorporate the Burlington and Normansville Turnpike Road Company.

By same—

An act to incorporate the Burlington and Union Turnpike Road Company.

By same—

An act to amend the Warsaw and Sparta Turnpike Company.

By same—

An act to provide for the election of the board of commissioners for Boone county by districts, etc.

By same—

An act to repeal an act for the benefit of Hamilton Magisterial District, in Boone county.

By same—

An act to amend and reduce into one the act incorporating the Marion and New Liberty Turnpike Road Company, in Owen county.

By same—

An act to establish a road district in Boone county.

By same—

An act to amend the charter of Proctor, in Lee county.

By same—

An act to provide a tax on dogs in various precincts in Daviess county.

By Mr. Patteson, from the Committee on Printing—

An act to incorporate the Bagdad Printing and Publishing Company.

By Mr. Breckinridge, from the Committee on Railroads—

An act to incorporate the Newtown and Little Elkhorn Turnpike Company, in Scott county.

By Mr. Stewart, from the Committee on Privileges and Elections—

An act to regulate municipal elections in the city of Paducah.

By same—

An act to provide for the registration of voters in the city of Paducah, and repealing the act approved May 10, 1886.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act incorporating the town of Sulphur, in Henry county.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Lebanon Street Railway Company.

By same—

An act to incorporate the Prestonsburg Street Railway Company.

By Mr. Breckinridge, from the same committee—

An act to amend the charter of the town of Crab Orchard, Lincoln county, Kentucky.

With amendments to the two last-named bills,

Which were adopted.

Ordered, That said bills, the two last-named as amended, be severally read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several

committees which were directed to prepare and bring in the same, viz :

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled “An act to incorporate the Paducah and North Ballard Turnpike Company.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act for the benefit of Francis M. Gibson, of Wayne county.

By same—

An act for the benefit of Hiram Crabtree, of Wayne county.

By same—

An act to charter the Cowan Station and Battle Run Turnpike Road Company, in Fleming county.

By same—

An act to amend the charter of the Warren Deposit Bank.

By same—

An act to incorporate the Junction Turnpike Company.

By Mr. Conner, from the same committee—

An act to amend an act, entitled “An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county.”

By same—

An act to amend an act, entitled “An act to create a board of commissioners for Pike county, prescribing their duties, and to authorize said commissioners to issue bonds of said county, and to provide certain books for said commissioners.”

By same—

An act to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Midway.

By same.

An act for the benefit of S. H. Summers, of Carlisle county.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Danville Street Railway Company.

By Mr. Bradley, from the same committee—

An act to amend the charter of the Somerset Street Railway Company.

By Mr. McCain, from the same committee—

An act to incorporate the Uniontown and Clarksville Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to repeal chapter 682, Acts 1885-6, approved April 19, 1886.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That chapter 682, acts 1885-6, approved April 19, 1886, entitled "An act to provide for and regulate the holding of examining courts in this Commonwealth, and fixing the fees of the county judges, justices of the peace, and police judges and other officers when sitting in examining courts be, and the same is hereby, repealed.

§ 2. This act to take effect and be in force from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved. That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate passed said bill, which motion was simply entered.

Mr. Hendrick, from the Committee on Judiciary, to whom was referred leave to bring in a bill, entitled

An act creating a board of fence viewers,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That two magistrates of each precinct, together with the county surveyor of each county in this State, shall constitute a board of "fence viewers" for the precinct in which the magistrates may reside, and shall be authorized and empowered to act under the provisions of this act.

§ 2. Any fence viewer who shall, when requested, unreasonably neglect to view any fence, or to perform any of the duties required of him in this act, shall forfeit and pay the sum of twenty-five dollars, and be liable to the party for any injury done consequent to such neglect.

§ 3. Each fence viewer shall get two dollars per day for all necessary time spent in discharging duties imposed by this act, to be paid in the first instance by party or parties requiring service, all parties bearing it equally, except in case of a view to appraise damage for neglect or refusal to make and maintain a just proportion of a division fence, in which it shall, with all costs, be paid by party in fault, and be recovered as part of damage assessed.

§ 4. All owners of adjoining land shall keep and maintain in good repair all partition fences between them, in equal share, so long as both parties continue to occupy or improve such land, unless otherwise agreed.

§ 5. Every fence shall be lawful when built as follows: Every strong and sound fence of rail, or plank, or iron, four and one-half feet high, and being so close that cattle or other stocks can not creep through it; worm fence, composed of rails, shall be staked and ridged or locked on the corners with stout rails, stakes or posts. Those composed of stone shall be eighteen inches wide at the bottom and twelve at the top. Those composed of brick, not less than twelve inches at top and bottom. When posts are used for plank picketing, or postenrail, they shall be set in the ground two feet, and close enough together to insure a strong fence. Rivers, brooks, creeks, lakes, ponds, ditches, hedges, and constructions which shall be equivalent thereto, in the judgment of the fence viewers, shall be deemed a legal and efficient fence.

§ 6. If any party neglect to repair or rebuild a partition fence, or the portion thereof which he ought to maintain, the aggrieved party may complain to the fence viewers, who, after due notice

to each party, shall examine the same, and, if they determine that the fence is insufficient, shall signify it, in writing, to the delinquent occupant of the land, and direct him to repair or rebuild the same within such time as they may judge reasonable, considering the season.

§ 7. If such fence be not then repaired or rebuilt, then complainant may then repair or rebuild it, and the same being adjudged sufficient by the fence viewers, and the value thereof, with their fees, being ascertained by them, and certified under their hand, the complainant may demand of the owners of the land where the fence was deficient the sum so ascertained, and in case of neglect to pay the same for one month after demand, may recover it, with interest at one per cent. per month, in any court of competent jurisdiction.

§ 8. When any controversy may come up as to the rights of respective owners of a partition fence, or their rights to keep it in repair, and they shall not agree, then either party shall apply to the fence viewers, who, after a due notice to the other party, shall assign to each party, in writings, his equal share of fence in dispute, which each shall keep in good repair, which assignment be recorded in the county clerk's office, in a book kept for that purpose, which decision shall be conclusive and final. Both parties and all succeedant occupants of the land shall maintain their respective portions of this fence respectively assigned.

§ 9. If one of the parties then neglect or refuse to put part of fence assigned him in good order, and maintain it so, the aggrieved party shall then be entitled to recover all of the ascertained cost and damage, and one per cent. per month interest, by action in any court of competent jurisdiction.

§ 10. The assignment of the fence viewers shall be in writing, and signed by at least two of them, giving a description of the partition fence divided, and the names of the owners and present occupants, and it shall be recorded in the county clerk's office, and shall be final and binding on the parties and all succeedant occupants of the land regarding fence divided.

§ 11. When in controversy between owners of adjoining lands as to their respective rights to a partition fence, and it shall appear to the fence viewers that one of the owners had, before any complaint was made, come in possession or erected the whole fence, or more than his equal share, then the fence viewer shall assess against the other a reasonable compensation for as much of the fence which will make each equal owners.

§ 12. All fence shall be kept in good repair throughout the year, without there is an agreement by the owners of both lands otherwise.

§ 13. When lands owned in severalty have been inclosed in common without a partition fence, and one of the owners is desirous to occupy his land alone, and the others refuse or neglect on demand to divide the line where the fence should be built, or to build and maintain a sufficient fence on his half of the line

when divided and assigned by the fence viewers after a reasonable time, the notice being in writing for making the fence, then the other party, after making his own part, may make the rest of the fence, and recover the cost for the same, together with the fence viewers' fees and one per cent. interest per month as above provided.

§ 14. Any party having determined to throw his land open to the commons shall not take away the partition fence, or any part of it, except after three months' notice to the adjoining land owners, and only then between the first of December and first of March, and only then after he has offered to sell said fence at a price they may agree on, or at its value as assigned by the fence viewers in writing.

§ 15. When a partition fence is to be made or divided—lays partly in one precinct and partly in the other—then one magistrate shall be from each precinct, together with the county surveyor; or, when part of the fence to be divided or made lays in one county and part in the other, then the magistrates of the two precincts in which it is situated shall serve, together with the surveyor from the county where the greater part of the line may lay, and the decision of the fence viewers shall be recorded in that county also.

§ 16. The word owner shall be held to mean the occupant or tenant when the real owner is a non-resident, but he shall be responsible to the occupant or tenant for the cost of erection and maintenance of division fence under this act, if there is no agreement between them to the contrary.

§ 17. Any person building a fence may put it on the line, or on his own side of line, so as it may be used as a division fence.

§ 18. When the fence is a creek, river, brook, pond, or ditch, and the viewers shall not deem it sufficient, they shall divide the length of line and fix on which side the fence shall be built, as well as the water gates or water fences, dividing the burden equally between the owners.

§ 19. This bill takes effect from passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. May the Senate then adjourned.

WEDNESDAY, APRIL 2, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend, digest and reduce into one all the acts and laws in relation to the town of Barbourville.

An act to incorporate the Middlesborough Bank, Loan and Trust Company.

An act to authorize the board of trustees of London, Kentucky, to issue bonds to raise money to macadamize the streets, and to provide street lamps for said town.

An act to incorporate the Farmers' and Labors' Union of Kentucky.

An act to incorporate the Union Trust Company of Maysville, Kentucky.

An act to incorporate the Washington Lodge, No. 79, F. and A. M., at North Middletown, Bourbon county.

An act authorizing certain Kentucky corporations to consolidate with similar corporations authorized by other States to erect bridges across the Ohio river.

An act to amend an act, entitled "An act to incorporate the Versailles and Shryock's Ferry Turnpike Road Company," approved February 14, 1850.

An act to amend an act to revise and amend the charter of the city of Bowling Green, approved January 2, 1882.

An act to incorporate St. Mathew's Evangelical Church, of Louisville.

An act to amend an act to provide for keeping certain turnpike roads in repair in Shelby county.

An act to amend the charter of the Louisville Turnpike Company.

An act authorizing the sale of the old court-house and grounds in Knott county.

An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein, for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Bracken county.

An act to declare Island creek, in Pike county, a navigable stream.

An act to change the dividing line between the counties of Lewis and Mason.

An act to prohibit hunting with guns upon inclosed lands in Barren county.

An act to declare Boone's Fork of Frozen Creek, in Breathitt county, a navigable stream.

An act to declare the Rock House Fork of Rockcastle Creek, in Martin county, a navigable stream.

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

An act to regulate the sale of spirituous, vinous and malt liquors within three miles of Friendship Church, in Kenton county, Kentucky.

An act for the benefit of Washington county, by which the Washington County Court is authorized to lease the turnpike roads in said county, purchase the stock of any stockholder in any turnpike company, and manage and control said turnpikes, and make the same free for travel.

An act to prohibit the sale of spirituous, vinous or malt liquors within a radius of two miles of Mount Hebron Baptist Church, in the county of Garrard.

An act to incorporate the Central Trust Company of Owensboro.

An act to amend an act to prohibit the sale of spirituous, vinous or malt liquors in the counties of Laurel, Rockcastle, Jackson, Owsley and Clay.

An act to change the boundary line of Laurel and Clay counties.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Lexington Hydraulic and Manufacturing Company,' " approved March 22, 1890.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846.

An act to amend an act approved February 9, 1886, and entitled "An act to amend an act, entitled 'An act to incorporate the Covington and Cincinnati Pier Bridge Company,' " passed April 4, 1884.

An act to regulate bridges spanning the Ohio river from points within the county of Kenton, and tolls on the same.

An act to prevent trespassing on real estate in the county of Fayette.

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to establish a superior court, and to regulate the same,' " approved March 18, 1886.

An act to amend an act, entitled "An act to incorporate the Danville Railroad Company," approved April 14, 1888.

An act to amend section 1, article 4, of chapter 5, of the General Statutes.

An act to amend section 8 of article 2 of chapter 44 of the General Statutes.

An act to amend an act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880.

An act to amend an act, entitled "An act to incorporate the Hardin County Fair Association."

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Anderson Hill Inclined Plane and Railway Company.

2. An act to amend the charter of the city of Owensboro, so as to empower said city to recover taxes by suit.

3. A bill to regulate the duties of the trustee of the jury fund of Jefferson county.

4. An act to amend article 1 of chapter 47 of the General Statutes, entitled "Gaming."

5. An act to change the corporate limits of the town of Greenville, in Muhlenburg county.

6. An act for the benefit of the Mayfield Water and Light Company, legalizing all defects which may exist in the organization and proceedings of same, and authorizing it to sell bonds and make mortgages.

7. An act for the benefit of Albert Lee, late sheriff of Marion county.

8. An act to amend an act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan and Simpson counties, so far as the same applies to Lewis county.

9. An act to relieve E. H. Coombs of the disabilities of an infant.

10. An act for the benefit of Thomas J. Starks, of Allen county.

11. An act to amend an act to amend and revise the charter of the city of Mayfield, Graves county.

12. An act to provide the punishment of petit larceny in Graves county.

13. An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield."

14. An act to amend chapter 5, article 1, section 3 of the General Statutes.

15. An act to prevent stock from running at large in the Brooksville and Berlin precincts, in Bracken county.

16. An act to change the time of holding elections for and commencement of term of office of justices of the peace and constables in the counties of Breathitt and Morgan.

17. An act to amend section 5, article 2, chapter 45, in reference to fugitives from justice, General Statutes.

18. An act to authorize the county court of Cumberland county to levy an ad valorem and capitation tax for county purposes.

19. An act to enable the board of councilmen of the city of Augusta, in Bracken county, to issue the bonds of said city in aid of the establishment of manufactures in said city.

20. An act to amend section 9 of chapter 49 of an act, entitled "An act chartering the Graves County Banking and Trust Company," approved January 27, 1888.

21. An act for the benefit of W. B. Edwards, late clerk of the Hart Circuit Court.

22. An act to amend an act, entitled "An act to amend an act to amend and revise the charter of the city of Mayfield, Graves county.

23. An act requiring the road supervisor of Harrison county to be elected by a direct vote of the people.

24. An act to amend an act, entitled "An act to enable the county court of Mason county to provide free turnpikes in Mason county," approved May 15, 1886.

25. An act to repeal all acts or parts of acts relating to the office of sealer and weights and measures for Jefferson county.

26. An act to make the office of county court clerk and county surveyor of Henry county compatible.

27. An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company.

28. An act to incorporate the Central Bank.

29. An act to amend an act, entitled "An act to incorporate the Newport Electric Street Railway Company," approved March 21, 1890.

30. An act for the benefit of Ulysses S. Grant Teator, a minor Garrard county, Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 7th, 8th, 18th and 25th to

the Committee on Courts of Justice; the 3d, 4th, 5th, 10th, 12th, 14th and 17th to the Committee on General Statutes; the 6th, 9th, 21st and 30th to the Committee on the Judiciary; the 15th to the Committee on Propositions and Grievances; the 16th to the Committee on Privileges and Elections; the 19th, 24th and 27th to the Committee on Agriculture and Manufactures; the 20th and 28th to the Committee on Banks and Insurance; the 23d to the Committee on Federal Relations; the 29th to the Committee on Immigration and Labor; the 26th to the Committee on Codes of Practice, and the 11th, 13th and 22d named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky.

Mr. Anderson moved that the Senate adhere to its amendment heretofore adopted to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Anderson moved that a committee of five Senators be appointed a committee of conference, to act in conjunction with a similar committee on the part of the House of Representatives, to take into consideration the disagreement of the two Houses to said bill.

And the question being taken thereon, it was decided in the affirmative.

The Speaker of the Senate announced the appointment of Messrs. Anderson, Smith, Hendrick, English and McCain said committee on the part of the Senate.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a State Board of Health, to provide for the appointment of local boards

of health, and a superintendent of vital statistics," approved March 16, 1878.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That in order to better carry out the provisions relating to quarantine of the acts to which this is an amendment, the sum of five thousand dollars is hereby appropriated as a contingent fund, to be used in the discretion of the State Board of Health, upon the approval of the Governor, in such sums as emergency may, from time to time, make necessary to prevent the introduction into, and the spread within, the State of cholera, yellow fever or other contagious or infectious diseases affecting human beings ; and the State Board of Health shall make an itemized report of any expenditure made under this act to the session of the General Assembly next succeeding such expenditure.

§ 2. This act shall take effect and be in force from and after its passage.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative, for the want of the constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	J. J. Paul,
Sam E. English,	William Lindsay,	A. L. Peterman,
G. W. Gates,	J. H. Lunsford,	J. M. Pieratt,
T. L. Glenn,	J. W. McCain,	A. H. Stewart—15.

Those who voted in the negative, were—

J. W. Martin,	James H. Mulligan,	J. S. Wortham,
D. L. May,	Chas. Patteson,	D. W. Wright—6.

Mr. Wright moved to reconsider the vote by which the Senate had rejected said bill,

Which motion was simply entered.

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Breckinridge, to reconsider

the vote by which the Senate had refused to postpone indefinitely a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act for the benefit of licensed keepers of stud-horses, jacks and bulls of this Commonwealth," approved February 11, 1876.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Breckinridge and Smith, were as follows, viz:

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. B. Hannah,	D. W. Wright—5.
William Goebel,	J. M. Pieratt,	

Those who voted in the negative, were—

W. H. Anderson,	James H. Mulligan,	J. J. Paul,
W. F. Berry,	John P. Newman,	D. H. Smith,
D. L. May,	Chas. Patteson,	J. S. Wortham—9.

A message in writing was received from the Governor by Mr. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Harrod's Run Turnpike Road Company, in Boyle county.

An act to amend the charter of the Cabin Creek Turnpike Road Company.

An act to prevent cattle or any kind of stock from running at large on the turnpike roads in Robertson county.

An act to amend an act, entitled "An act to incorporate the town of Port Royal, in Henry county," and the amendments thereto.

An act to charter the Little Jordan Turnpike Road Company.

An act to incorporate the Jeffersontown and Seatonville Turnpike Road Company.

An act to incorporate the Jones' Mill and Rocky Branch Turnpike Company, in Franklin county.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend article 8 of chapter 92 of General Statutes, entitled "Revenue and Taxation."

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 1 of article 8 of chapter 92 of the General Statutes, entitled "Revenue and Taxation," be, and the same is hereby, repealed, and in lieu thereof the following is submitted: The clerk of the county court, after the examination and approval of the tax book by the board of supervisors, shall test the accuracy of the extensions and additions in said book, make additions of each column, recapitulate the footings of each page, so as to show the aggregate amount, value and number, and record said recapitulation sheet in said tax-book with his official certificate thereto attached, that said additions, footings and recapitulations are correct. He shall annually make out, for the use of the sheriff or collector, in a book to be furnished by the county, correct lists of taxable property as assessed and supervised, and shall deliver the same to the sheriff or collector, on or before the first day of March, and take his receipt therefor, and at the same time transmit, by mail or otherwise, to the Auditor of Public Accounts, an abstract of the assessment of property, showing the aggregate amount, number and value of each kind of enumerated property as shown by the tax-book, whether the same has been assessed for taxation or statistics. Said abstract shall be made out on blanks, which it shall be the duty of the Auditor to furnish the county clerks for that purpose.

§ 2. That for services rendered by the county clerk under the provisions of the aforesaid section, he shall be allowed annually, by the court of claims of his county, a reasonable compensation, payable out of the county levy, and all laws in conflict herewith are hereby repealed.

§ 3. This act shall take effect on the 15th day of September, 1890.

The substitute heretofore proposed by the committee to said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 1 of article 8 of chapter 92, General Statutes, entitled "Revenue and Taxation," is hereby repealed, and the following is substituted therefor, to-wit: The clerk of the county court after the examination and approval of the tax-book by the board of supervisors, shall test the accuracy of the extensions and additions in said book, make additions of each column, recapitulate on blanks to be furnished by the Auditor, the footings of each page so as to show the aggre-

gate amount, value and number of each column in said tax-book, and record said recapitulation sheet or sheets in said book with his official certificate attached, that said extensions, additions, footing and recapitulations are correct. He shall annually make out for the use of the sheriff or collector in a book to be furnished by the county, correct lists of tithes and taxable property as assessed and supervised, and shall deliver the same to the sheriff or collector on or before the fifteenth day of February, and take his receipt therefor, and at the same time he shall transmit by mail or otherwise to the Auditor a certified copy of said recapitulation sheet or sheets, showing the aggregate amount, value and number of each kind of enumerated property, including the aggregate of every other item of assessment, whether assessed for taxation, enumeration or statistics. Said recapitulation sheet or sheets shall be made out on blanks, which it shall be the duty of the Auditor to furnish the county clerks for that purpose.

§ 2. That for making out said tax lists for the sheriff, the county clerk shall be allowed annually, by the court of claims of his county, one cent for each line across the page of said book, including the name of the tax-payer and the last number of total value; and for making out said recapitulation sheet and recording same in the tax-book, said clerk shall receive two cents for each line across the page thereof, including the last number of total value, and the same compensation for copying said recapitulation sheet, to be ascertained by the Auditor and paid by the Treasurer on warrant of the Auditor, and all laws in conflict herewith are hereby repealed.

§ 3. That section 3 of said article is hereby amended by adding thereto, and at the close thereof, the following words, to-wit: "But the sheriff shall not be entitled to credit for such errors in his settlement with the Auditor until the Auditor has received from the clerk a certified copy of the order making the correction, accompanied by a certified copy of the tax-payers' list as it appears on the tax-book, and where the correction is for a duplicate assessment, both lists shall be copied and certified, and no tax list shall be corrected by the court unless the county attorney is present, and has had opportunity to examine the list and oppose any improper change therein."

§ 4. This act shall take effect on the 15th day of September, 1890.

Mr. Smith moved that said bill and the proposed substitute thereto be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Smith, were as follows, viz:

Those who voted in the affirmative, were—

T. L. Glenn,	John P. Newman,	J. M. Pieratt,
J. B. Hannah,	Chas. Patteson,	D. H. Smith,
James H. Mulligan,	A. L. Peterman,	A. H. Stewart—10.
John McCann,		

Those who voted in the negative, were—

W. H. Anderson,	W. W. Dickerson,	J. W. McCain,
W. F. Berry,	G. W. Gates,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	Phil Roberts,
R. J. Breckinridge,	J. H. Lunsford,	J. S. Wortham,
Reuben Conner,	J. W. Martin,	D. W. Wright—15.

Mr Glenn moved that the further consideration of said bill be postponed for the day.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

Sam E. English,	J. W. McCain,	J. M. Pieratt,
T. L. Glenn,	John McCann,	D. H. Smith,
J. B. Hannah,	John P. Newman,	A. H. Stewart—11.
William Lindsay,	Chas. Patteson,	

Those who voted in the negative, were—

W. H. Anderson,	W. W. Dickerson,	A. L. Peterman,
W. F. Berry,	William Goebel,	Phil Roberts,
Ben F. Bradley,	John K. Hendrick,	J. S. Wortham,
R. J. Breckinridge,	J. H. Lunsford,	D. W. Wright—13.
Reuben Conner,		

The question was then taken on the adoption of the substitute proposed by the committee for said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Peterman and McCann, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Reuben Conner,	J. W. Martin,
W. F. Berry,	W. W. Dickerson,	Phil. Roberts,
Ben F. Bradley,	G. W. Gates,	J. S. Wortham,
R. J. Breckinridge,	John K. Hendrick,	D. W. Wright—12.

Those who voted in the negative—none.

A message was received from the House of Representatives, announcing that they had adopted a joint resolution, entitled
Resolution appropriating money to relieve sufferers by the late tornado.

Said resolution reads as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor of Public Accounts is hereby authorized to draw his warrant upon the Treasurer at once to relieve citizens of this State who are actual sufferers from the effects of the recent tornado, such warrants to be drawn from time to time and in such sums as may be deemed proper and necessary by the Governor and Auditor, the same not to exceed in the aggregate the sum of (\$30,000) thirty thousand dollars, to be used as far as possible for supplying provisions, fuel, medicines, medical attention and shelter for such sufferers. The Governor and Auditor may appoint or select local relief boards at each of said city, town or county where assistance is required, to assist in carrying out this resolution; they shall report in full, the amount contributed to each city, town or county, and shall use only so much of the money hereby appropriated as they deem necessary upon satisfactory evidence.

No commission, board, agent or officer appointed or acting under this resolution shall charge or receive pay for such services, and each commission, board, agent or officer, receiving or distributing any of the money hereby appropriated, shall file with the Auditor a voucher showing the disposition of such sum as they or he may receive or distribute, which voucher the Auditor shall keep on file.

Any person who shall misappropriate or refuse to account for any money coming to his hands under this resolution shall be guilty of a high misdemeanor, and upon indictment may be fined or imprisoned, or both fined and imprisoned at the discretion of the trial jury.

This resolution shall take effect and be in force from and after its adoption.

Said resolution was taken up for consideration, and the question being then taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	J. B. Hannah,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,

R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Phil Roberts,
Sam E. English,	D. L. May,	A. H. Stewart,
G. W. Gates,	James H. Mulligan,	D. W. Wright—26.
T. L. Glenn,	J. W. McCain,	

Those who voted in the negative—none.

Resolved, That the title of said resolution be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

Mr. Lindsay proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gates presented the petition of sundry citizens of Daveiss county, asking that relief be given by the General Assembly to the sufferers from the tornado of March 27, 1890.

A message was received from the House of Representatives, requesting the appointment of a committee of conference on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to take into consideration the disagreement of the two Houses to bills, which originated in the House of Representatives, of the following titles, viz :

An act to provide for a registration of voters in the city of Covington.

An act to further regulate municipal elections in the city of Covington.

And the question being taken on granting said request, it was decided in the negative.

Mr. Pieratt, from the Committee on Agriculture and Manufactures, to whom were referred bills from the House of Representatives, of the following titles, viz :

An act to amend an act to charter the town of Arlington, in Ballard, now Carlisle county," approved February 5, 1876 ;

An act to amend an act, entitled "An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884, approved ——— 26, 1886,

Reported the same, without amendment.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county ;"

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county ;"

An act to amend an act, entitled "An act to amend an act to revise the charter of the city of Mayfield, Graves county ;"

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company ;

An act to amend article 3, chapter 92, General Statutes, "Revenue and Taxation ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Eminence, in Henry county ;"

An act incorporating the bank of D. A. Sayre & Co., of Lexington, Kentucky ;

An act to incorporate Breathitt Lodge, U. D. F. and A. M., of Breathitt county ;

An act to establish the boundary line between the counties of Bourbon and Harrison ;

An act to amend an act, entitled "An act to incorporate the Augusta and Berlin Turnpike Road Company, in Bracken county," approved March 16, 1869 ;

An act to incorporate the Gibson Lodge, No. 553, of Free and Accepted Masons ;

An act to authorize the Cynthiana and Millersburg Turnpike Company to collect toll on said road at present gate ;

An act for the benefit of Mrs. Johanna R. Otto, of Mason county, Kentucky ;

An act to charter Johnson College ;

An act to amend section 1, article 1, chapter 94, General Statutes ;

An act to amend an act, entitled "An act to repeal the charter of the city of Henderson and the acts amendatory thereto, and to reincorporate said city of Henderson," approved April 9, 1888 ;

An act to establish a new voting place in Muhlenburg county ;

An act to amend an act to incorporate the town of Pleasureville, in Henry county, approved March 22, 1871, and to enlarge and define the boundary of said town, and to establish a police court therein, etc. ;

An act to regulate the sale of any vinous, spirituous or malt liquors, or any mixture thereof, within the town of Hindman, Knott county, or within the corporate limits of said town ;

An act to amend the charter of Allensville Turnpike Road Company ;

An act to authorize the county of Henderson to purchase the gravel roads now constructed in said county, and to extend and maintain said gravel road, and to construct and maintain others ;

An act to make provisions for the establishment of water-works in the city of Stanford, and authorize city council of the city of Stanford to issue bonds to aid in the establishment of water-works for said city, and to provide for the payment of the principal and interest of said bonds ;

An act to incorporate the Silver Creek, Scaffold Cane and Mt. Vernon Turnpike Road Company ;

An act to prevent drunkenness at places of worship and schools in certain counties in this Commonwealth ;

An act to incorporate the Farmers' and Mechanics' Building and Loan Association of Bowling Green, Kentucky ;

An act to incorporate the Big Hill and Manchester Railroad Company ;

An act providing for the levy and collection of an annual tax

in Breckinridge county for the improvement of public highways in said county ;

An act to amend an act, entitled "An act to charter the Vanceburg, Salt Lick, Tollsborough and Maysville Turnpike Road Company ;"

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large on said road ;

An act to incorporate a board of trustees of the executive board of the churches of the North Bend Association of Baptists ;

An act for the benefit of J. P. Jennings, of Jessamine county ;

An act amending and reducing into one the several acts relating to the town of Scottsville ;

An act to amend an act, entitled "An act to create a board of commissioners for Magoffin county, and to prescribe their duties and powers," approved March 24, 1888 ;

An act to regulate the sale of spirituous, vinous or malt liquors, or any mixture of either, within a radius of two miles of certain church-houses in Clinton county ;

An act to incorporate and define the corporate limits of the town of Fallsburg, in Lawrence county ;

An act to allow the Marshall county court of claims to levy an ad valorem tax for general county purposes ;

An act to prohibit the sale of spirituous, vinous and malt liquors in the town of Butler, Pendleton county ;

An act to incorporate the North Middletown Chapter, No. 26, R. A. M., at North Middletown, Bourbon county ;

An act to amend an act, entitled "An act to incorporate the Townsend Branch Turnpike Road, in Bourbon county," approved April 6, 1882 ;

An act to incorporate Clay City, in Powell county ;

An act to authorize a vote in Owen county in aid of a railroad ;

An act to incorporate Three Forks City, in Lee county ;

An act to organize and establish a system of public graded schools in Lancaster, Kentucky ;

An act to authorize the county court of claims of Jefferson county to increase their county levy ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to roads and bridges in Union county ;"

An act for the benefit of Common School District No. 23, in Livingston county ;

An act to incorporate the Butler Deposit Bank ;

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county," approved May 1, 1884 ;

An act to change the boundary line between Common School Districts Nos. 14 and 18, in Marion county ;

An act to repeal subsection 3 of section 6 of chapter 103, General Statutes, as far as the same applies to the county of Bullitt ;

An act to incorporate the Richmond Water Works and Sewerage Company ;

An act to organize and establish a system of Public Graded Schools in Junction City, Boyle county ;

An act to incorporate the Ashland Water Supply Company ;

An act to regulate the sale of spirituous, vinous or malt liquors in civil district No. 3, precincts Nos. 3 and 5, in Garrard county ;

An act to incorporate the Buckeye and Poor Ridge Turnpike Road Company, in Garrard county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Peoples' Savings Bank and Trust Company of Newport, Campbell county, Kentucky ;

An act to incorporate the Farmers' and Merchants' Bank in the city of Hopkinsville, Christian county ;

An act to incorporate the Hickman County Bank ;

An act to incorporate the Cumberland Improvement Company ;

An act to incorporate the Bank of Ashland ;

An act to incorporate the Bank of Leitchfield ;

An act to incorporate the Kenyon Bank, Trust and Guarantee Company ;

An act to incorporate Mitchell, Finch & Co. Bank, of Maysville, Kentucky ;

An act to amend the turnpike laws of Trimble county ;

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz :

On motion of Mr. McCann—

1. A bill to amend the charter of the Louisville and Nashville Railroad Company," approved March 5, 1850.

On motion of Mr. Stewart—

2. A bill to incorporate the Prestonsburg Hotel Company.

On motion of same—

3. A bill to incorporate the Prestonsburg and Big Sandy River Bridge Company.

On motion of same—

4. A bill to incorporate the Pikeville and Big Sandy River Bridge Company.

On motion of Mr. Gates—

5. A bill to incorporate the Baptist Ministers' Aid Society of Kentucky.

On motion of same—

6. A bill to incorporate the Goose Pond Draining and Improvement Company.

On motion of Mr. McCain—

7. A bill to authorize the Trimble County Court to appropriate and expend any balance known as the court-house fund in Trimble county.

On motion of Mr. Breckinridge—

8. A bill to incorporate the Central Kentucky Mining, Manufacturing, Lumber and Real Estate Company.

On motion of Mr. Newman—

9. A bill to amend the charter of the city of Newport.

On motion of same—

10. A bill to amend the charter of the incorporated district of Highland, in Campbell county.

On motion of same—

11. A bill to incorporate the People's Electric Street Railway Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 11th; the Committee on Propositions and Grievances the 2d, 3d and 4th; the Committee on Religion and Morals the 5th; the Committee on Internal Improvements the 6th; the Committee on Finance the 7th; the Committee on the Judiciary the 8th, and the Committee on Immigration and Labor the 9th and 10th.

On motion of Mr. Roberts the Senate then adjourned.

THURSDAY, APRIL 3, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to repeal an act, entitled "An act for the benefit of the taxpayers of Lyon county," approved February 6, 1878, and also to repeal an act amendatory thereof, approved April 2, 1888.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Crab Orchard, Lincoln county, Kentucky.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to allow the Auditor of Public Accounts \$2,700 per annum as an additional appropriation for clerk hire.

An act to amend article 1 of chapter 47 of General Statutes, entitled "Gaming."

An act to incorporate the city of Grand Rivers, in Livingston county.

An act to incorporate the Winchester Street Railway Company.

An act to make the provisions of an act to incorporate the purchasers of Railroads, approved March 1, 1876, and the amendments thereto apply to the purchasers of turnpike roads.

An act to amend section 18 of chapter 31 of the General Statutes.

An act to amend section 5, article 2, chapter 16, General Statutes.

An act to incorporate the Monticello Banking Company.

With an amendment to the last-named bill.

Ordered, That said bill, together with said amendment, be referred to the Committee on Banks and Insurance.

That they had passed bills of the following titles, viz :

1. An act to amend section 1 of an act, entitled "An act to fix the commission of the sheriffs for collecting certain special taxes in Bracken county, and to legalize and validate settlements made by the sheriffs with the sinking fund commissioners of said county on account thereof, chapter 1174, Acts 1887-88, third volume, which became a law without the approval of the Governor April 21, 1888.

2. An act to amend section 28 of the Criminal Code of Practice.

3. An act relating to depositions taken to be read in the McCracken Court of Common Pleas.

4. An act to establish a court of common pleas in the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott.

5. An act to provide for holding an election to take the sense of the voters of Canton precinct, in Trigg county, as to the regulation of the liquor traffic or its prohibition therein.

. An act regulating the conveyance of cemetery lots in the town of Russellville, Logan county, Kentucky.

7. An act to amend the revenue laws of this Commonwealth, giving the State the power to sue for taxes due.

8. An act to amend section 3 of article 1, chapter 5, General Assembly.

9. An act to incorporate the Henderson Savings Bank of Henderson.

10. An act to amend title 4, chapter 2, section 56 of the Civil Code of Practice.

11. An act to amend section 36 of chapter 2 of title 3 of the Code of Practice in criminal cases.

12. An act to empower county, justices and police courts to appoint attorneys to represent the Commonwealth in certain prosecutions for misdemeanors, and to provide compensation for such attorneys.

13. An act to amend section 5 of chapter 79, General Statutes.

14. An act for the benefit of the town of Lawrenceburg, in Anderson county, and amending the charter of the same.

15. An act to authorize the Bourbon County Court to appropriate money for the construction of an iron bridge over Huston Creek, on Walnut street, in the city of Paris.

16. An act to amend an act, entitled "An act to incorporate the Paris Water Company," approved February 24, 1888.

17. An act to amend article 5, chapter 28, General Statutes, title "Courts."

18. An act to amend an act approved May 6, 1880, entitled "An act to incorporate the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company, now known as the Kentucky Union Land Company."

19. An act to amend an act, entitled "An act to incorporate the Lexington Charity Organization Society."

20. An act to amend an act to incorporate the town of Fancy Farm, in Graves county, approved April 1, 1880.

21. An act to regulate the right of voting in precinct of Hickory Grove, in Graves county.

22. An act to incorporate the Prestonsburg, Beaver Valley and Big Stone Gap Railroad Company.

23. An act to incorporate the town of Walton, in Boone county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the first to the Committee on Revenue and Taxation; the 2d and 4th to the Committee on Courts of Justice; the 3d, 5th, 7th, 14th, and 20th to the Committee on the Judiciary; the 6th, 8th, 12th, 13th and 17th to the Committee on General Statutes; the 9th to the Committee on Banks and Insurance; the 10th and 11th to the Committee on Codes of Practice; the 15th and 16th to the Committee on Agriculture and Manufactures; the 18th to the Committee on Internal Improvements; the 19th to the Committee on Charitable Institutions; the 21st to the Committee on Privileges and Elections; the 22d to the Committee on Railroads, and the 23d named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Anderson, leave of absence, indefinitely, was granted Mr. Wortham.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 9, article 35, chapter 29 of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Newman—

Ordered, That the further consideration of said bill be postponed, and made the special order of the day for Wednesday, April 9, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives of the following titles, viz :

An act to amend an act, entitled “An act to prohibit the sale

of spirituous, vinous or malt liquors in Logan county, Kentucky," approved March 13, 1886 ;

An act to amend an act, entitled "An act to incorporate the town of West Point, Kentucky," approved March 12, 1870 ;

An act to declare Woodcock's Branch, in Henry county, a navigable stream from Grub Ridge Church to Big Six-mile creek ;

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in Woodford county," which became a law April 21, 1888, and the acts amendatory thereof, approved April 27, 1888 ;

An act for the benefit of John Ketchum ;

An act to authorize the printing of a roster of the officers and soldiers from Kentucky in the War 1812-15 ;

An act to levy a tax and provide for the improvement of roads in Adair and Laurel counties ;

An act to amend an act to incorporate the town of Lockport, in Henry county," approved March 9, 1854, and amendments thereto ;

An act to incorporate the Camp Creek, Oakland Flat and Powersville Turnpike Road Company, in Bracken county ;

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank of Eminence, Kentucky," approved May 12, 1886, empowering said bank to act as trust and safety vault company ;

An act to incorporate the Wallace Mill Turnpike Road Company ;

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886 ;

An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads ;

An act to authorize the city of Hawesville to compel lot owners to pave and to provide a fund to gravel and macadamize certain streets ;

An act to provide a tax on dogs in various precincts in Daviess county ;

§ An act to amend an act, entitled "An act to incorporate the

town of Sacramento, in McLean county," approved March 1, 1860 ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Mitchellsville and Dry Creek Plank Road Company, in Boone county,' " approved February 2, 1866 ;

An act to charter the town of Trenton, Todd county ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Kentucky Rock Gas Company ;"

Resolution requesting the Senators and Representatives in Congress to aid in the passage of an act for the benefit of the heirs of Mrs. Catharine Morin ;

An act repealing an act amending the charter of the Farmers' and Drovers' Bank of Louisville, approved January 28, 1890 ;

An act to create a new voting precinct at Crabtree Mines, in Hopkins county ;

An act to incorporate the Columbia Finance and Trust Company of Louisville, Kentucky ;

An act to amend an act, entitled "An act to reincorporate and amend the laws for the town of Campbellsville, Taylor county," approved March 19, 1888 ;

An act to amend an act to authorize the people of Boyle county to vote on prohibiting the sale of liquors in said county, approved January —, 1890 ;

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same," approved 28th April, 1884 ;

An act to incorporate the Bremer College, including Perryman Male and Female Academy, of Bremer, Muhlenburg county ;

An act to prevent shipping for market partridges out of McLean county within two years ;

An act to incorporate the Bank of Louisa ;

An act to amend the charter of the German Savings and Homestead Fund Company ;

An act to amend the charter of the city of Newport, exempting certain personal property from taxation ;

An act to incorporate the Union Bank, Maysville, Kentucky ;

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in this Commonwealth," approved May 26, 1874, so far as it applies to Wayne county ;

An act to amend an act, entitled "An act to incorporate the Bank of Cumberland," approved February 28, 1890 ;

An act to allow the Auditor of Public Accounts \$2,700 per annum as an additional appropriation for clerk hire ;

An act to enable W. H. Hook, a justice of the peace for McCracken county, to appoint a clerk for his court ;

An act to incorporate the town of Berea, in Madison county, Kentucky ;

An act to further amend an act, entitled "An act to amend the charter of New Castle, and to reduce into one the amendments thereto," approved 25th March, 1882, volume 1, page 1011 ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Anderson, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to fix the salary of Commonwealth's Attorneys, and repealing so much of article 4 of the General Statutes and the amendments thereto, and all other laws that come in conflict with this act,

Reported the same, with an amendment thereto as a substitute therefor.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Commonwealth's Attorneys shall receive an annual salary of fifteen hundred dollars, payable monthly out of the Treasury, commencing from the time of his qualification under his commission, which shall be in full compensation for all services required of him. And so much of article 4 of chapter 5 of the General Statutes, and the amend-

ments thereto, and all other statutes coming in conflict with this act, is hereby repealed.

§ 2. This act to take effect and be in force from and after its passage.

Mr. Hendrick offered the following amendment, viz :

Amend by striking out "fifteen hundred dollars," and insert in lieu thereof the words "two thousand five hundred dollars."

Said proposed substitute reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That each Commonwealth's Attorney shall receive annually a salary of twenty-five hundred dollars, payable monthly out of the Treasury, which shall be in lieu of all other compensation by the Commonwealth.

§ 2. A Commonwealth's Attorney *pro tem.*, appointed by the court as now provided by law, shall be allowed by the court reasonable compensation, not to exceed seven dollars per day, to be paid out of the Treasury, and deducted from the salary of the regular Commonwealth's Attorney.

§ 3. All acts and parts of acts inconsistent herewith are hereby repealed.

§ 4. This act shall take effect and be in force on and after the first day of July, 1890.

And the question being taken on the adoption of said proposed substitute, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	D. L. May,	Chas. B. Poyntz,
W. W. Dickerson,	James H. Mulligan,	B. F. Reynolds,
Sam E. English.	J. W. McCain,	D. H. Smith,
G. W. Gates,	John McCann,	A. H. Stewart,
T. L. Glenn,	John P. Newman,	D. W. Wright—26.
William Goebel,	Chas. Patteson,	

Those who voted in the negative, were—

J. B. Hannah,	Phil Roberts,	J. S. Wortham—5.
J. H. Lunsford,	G. Terry,	

Resolved, That the title of said bill be as follows, viz:

An act to fix the compensation of Commonwealth's Attorneys.

Mr. Hendrick moved to reconsider the vote by which the Senate had passed said bill.

Mr. Hendrick moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission," approved March 8, 1876.

Mr. Newman moved that the further consideration of said bill be postponed for the day, and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Mr. McCain moved to reconsider the vote by which the Senate had postponed the further consideration of said bill for the day.

Mr. Peterman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCain and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John R. Kemp,	Chas. Patteson,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
Reuben Conner,	D. L. May,	J. M. Pieratt,
T. L. Glenn,	John P. Newman,	D. W. Wright—13.
John K. Hendrick,		

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	B. F. Reynolds,
R. J. Breckinridge,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	G. Terry,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—18.

The question was then taken on the adoption of the motion made by Mr. McCain, and it was decided in the affirmative.

Mr. Berry moved that the consideration of all bills in the special orders of the day be postponed for the day, and that the committees be called.

And the question being taken thereon, it was decided in the affirmative.

Mr. Anderson, from the Committee on General Statutes, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled “An act regulating the exemptions of personal property from execution, attachment, distress for rent and fee bills in this Commonwealth,” approved May 17, 1886,

Reported the same with an amendment thereto.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 5 of said act, entitled “An act regulating the exemptions of personal property from execution, attachment, distress for rent and fee bills in this Commonwealth,” approved May 17, 1886, be, and the same is hereby, amended by adding after the words “fee bills,” in the third line thereof, the words “in addition to the property exempted by the first section of this act.”

§ 2. This act to take effect from its passage.

Said proposed amendment reads as follows, viz :

Amend section 2 by inserting the words “but not” before the words “in addition to the property exempted by the first section of this act.”

Mr. Dickerson moved to lay said bill and the proposed amendment thereto on the table.

And the question being taken thereon, it was decided in the negative.

Mr. Breckinridge moved that the further consideration of said bill and proposed amendment thereto be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

Mr. McCain moved that said bill and the proposed amendment thereto be recommitted to the Committee on General Statutes.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. W. McCain,
R. J. Breckinridge,	William Lindsay,	Jno. P. Newman,
G. W. Gates,	J. H. Lunsford,	J. J. Paul,
T. L. Glenn,	D. L. May,	Chas. B. Poyntz,
J. B. Hannah,	James H. Mulligan,	D. H. Smith—16.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	Sam E. English,	Phil Roberts,
Ben F. Bradley,	J. W. Martin,	G. Terry,
Reuben Conner,	Chas. Patteson,	J. S. Wortham,
W. W. Dickerson,	B. F. Reynolds,	D. W. Wright—12.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the

part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to incorporate Three Forks City, in Lee county;

Which was granted.

Whereupon the Speaker appointed Mr. Pieratt said committee on the part of the Senate

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act for the benefit of J. F. Lowe;

Which was granted.

Whereupon the Speaker appointed Mr. Goebel said committee on the part of the Senate.

A message in writing was received from the Governor by Mr. Ed Porter Thompson, Private Secretary.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, April 3, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Isaac Adler, Fayette county.

W. E. Bell, Anderson county.

James N. Brafford, Knox county.

F. L. Dant, Marion county.

H. H. Gocke, Jefferson county.

Lee B. Goff, Jefferson county.

S. L. Howard, Carroll county.

Paul S. Jones, McCracken county.

Jno. C. C. Mayo, Johnson county.

J. P. Martine, Jefferson county.

George W. Miller, Wayne county.

A. C. Rucker, Jefferson county.

John J. Telford, Jefferson county.

E. B. Yates, Scott county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Connor—

1. A bill to incorporate the Florence and Covington Street Railway Company.

On motion of Mr. Kemp—

2. A bill to incorporate Clinton Lodge, No. 23, Knights of Pythias.

On motion of Mr. Lindsay—

3. A bill to authorize the town of Bellepoint to issue and sell bonds for the purpose of public improvement.

On motion of same—

4. A bill to amend and reduce into one the acts relating to the town of Bellepoint, in Franklin county, and to extend the boundaries thereof.

On motion of Mr. Pieratt—

5. A bill to incorporate the Louisville, Mt. Sterling and Norfolk Railroad Company.

On motion of Mr. Poyntz—

6. A bill to establish an additional justice of the peace district in Mason county.

On motion of Mr. Anderson—

7. A bill, entitled "An act to further amend and regulate the municipal affairs of the town of Shelbyville."

Ordered, That the Committee on Railroads prepare and bring in the 1st and 5th ; the Committee on Charitable Institutions the 2d ; the Committee on General Statutes the 3d, 4th and 7th ; and the Committee on Courts of Justice the 6th.

Mr. English, from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

An act to amend section 15, chapter 73 of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 15 of chapter 73 of the General Statutes be amended as follows : Strike out of said section the following words, to-wit : "In their discretion not exceeding four dollars per week," and insert in lieu thereof the following : "So the expense of keeping and maintaining of such patient shall not exceed the amount allowed by law for other patients." § 2. That this act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees, to which they were referred, viz :

By Mr. English, from the Committee on Charitable Institutions—

An act to incorporate Clinton Lodge No. 23, Knights of Pythias.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of Mrs. Patrick Craven, of Maysville.

By Mr. Poyntz, from the Committee on Finance—

An act to authorize the Trimble County Court to appropriate and expend any balance known as the court-house fund in Trimble county.

By Mr. Wright, from the Committee on General Statutes—

An act to amend section 11, article 3, chapter 27, General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of

the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of A. Meahl, of Henderson county.

By same—

An act for the benefit of W. S. Stone, of Daveiss county.

By Mr. McCann, from the Committee on Courts of Justice—

An act to regulate the jurisdiction of justices of the peace in the city of Louisville.

By Mr. Poyntz, from the Committee on Finance—

An act to create the office of county treasurer of Harrison county.

By Mr. Anderson, from the Committee on General Statutes—

An act to fix the time of holding, and to regulate the civil jurisdiction of, quarterly court of Allen county.

By same—

An act to amend article 1, chapter 94, General Statutes, title "Roads and Passways," and to establish road tax districts and authorize the levy of a district road tax in certain counties of this Commonwealth.

By same—

An act to amend section 3, article 2, chapter 106, of the General Statutes, so far as the same applies to Henry and Pendleton counties, etc.

By Mr. Wortham, from the same committee—

An act for the benefit of the county court of Breckinridge county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Mt. Zion Church and school-house, in Allen county, Kentucky.

By same—

An act to fund the present bonded indebtedness of the town of Russellville, Kentucky.

By same—

An act to authorize the successor of G. R. Bruner, deceased, a former justice of the peace of Breckinridge county, to sign all unsigned judgments rendered by said deceased justice.

By same—

An act to enable the Ohio County Court to appropriate money to build a bridge across Rough river, between Ohio and Grayson counties.

By same—

An act to amend an act, entitled “An act to incorporate the town of Pellville, in Hancock county.

By Mr. Patteson, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to amend the charter of Beech Grove, McLean county,’ ” approved March 27, 1888.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to secure the attendance of witnesses before joint committees appointed by the General Assembly of the Commonwealth of Kentucky, and prescribing punishments against witnesses for certain offenses,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the first-named Senator appointed by the Speaker of the Senate on any joint committee appointed under authority of any bill or resolution of the General Assembly of the Commonwealth of Kentucky, shall be chairman of said joint committee, and is hereby fully authorized and empowered to issue subpoenas and subpoenas *duces tecum* for witnesses to appear and testify before said committees; and said

subpœnas may be executed by the Sergeant at-Arms of the Senate or of the House of Representatives, or by a sheriff or other peace officer, and said chairman is hereby authorized and empowered to administer an oath to any witness called to testify before said committees.

§ 2. That any person called as a witness to testify before said committees in regard to any matter being properly investigated by said committees, and who fails to appear before said committees in obedience to a subpœna or a subpœna *duces tecum*, duly executed upon him as provided herein shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five hundred dollars nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months, upon an indictment in the county where said subpœna was served upon him.

§ 3. Any person called as a witness before said committee, who shall refuse to testify or give such information in regard to any matter under investigation, shall be guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five hundred dollars nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months upon indictment in the county in which he refuses to testify.

§ 4. Any person who shall willfully and knowingly swear or depose, or give in evidence before said committees that which is false, he shall, upon conviction, be confined in the penitentiary not less than one nor more than five years.

§ 5. If any person for whom a subpœna has been issued by the chairman of said committees shall conceal himself or otherwise evade the officer, with intent to evade the service of said subpœna upon him, he shall be deemed guilty of a misdemeanor, and, upon conviction, he shall be fined not less than five hundred dollars nor more than one thousand dollars, and imprisoned in the county jail not less than six nor more than twelve months.

§ 6. That said committees may hold its sessions at any time which may be fixed by the chairman, and may hold them in the county of Franklin, or any other county in the Commonwealth.

§ 7. That any person called as a witness to testify before any such committee in regard to any matter or thing investigated by any such committee is a competent witness, although said witness may be concerned or interested personally, or as president, director, agent, employe or principal of the person, company or corporation under investigation by said committee, or may be person or party being then investigated, and shall be compelled to testify touching such knowledge or information as he may have in regard to or of, or about the matter or thing then being investigated by said committee, but such evidence shall not be used against said witness in any prosecution against him, except for false swearing, and it shall be no exemption nor excuse

for said witness that his testimony may criminate himself, for he shall not be liable to trial or punishment for any matter about which he may testify.

§ 8. This act shall take effect and be in force from and after its passage.

Mr. Newman moved that the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Wednesday, April 9, 1890, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Bradley proposed to amend said bill as follows, viz :

Amend by striking from section 7 the following words, viz : "And it shall be no exemption for such witness that his testimony may criminate himself, for he shall not be liable to trial or punishment for any matter about which he may testify."

Mr. Newman proposed to amend said bill as follows, viz :

All such investigations shall be conducted under the rules of procedure of courts of justice in this Commonwealth, and be governed by the rules of evidence.

Mr. Lindsay proposed to amend the amendment proposed by Mr. Newman to said bill as follows, viz :

Amend by adding : "*And provided*, No person shall be punished for refusing or declining to answer any question irrelevant or impertinent to the subject matter of the particular legislative inquiry on hand, or for declining or refusing to testify as to any matter the General Assembly has no constitutional power to investigate."

Mr. Hendrick moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson proposed to amend said bill as follows, viz :

Amend by striking out "five hundred dollars," and in lieu thereof insert "twenty-five dollars," and by striking out "one thousand dollars," and in lieu thereof insert "one hundred dollars," where they occur in section 2.

Amend by inserting after the words "fail to appear," in the second section, the words "without reasonable excuse therefor."

Amend by inserting after the words "under investigation," in the third section, the words "without good and sufficient excuse therefor."

Amend by striking out "five hundred dollars," and insert in lieu thereof "twenty-five dollars," and by striking out the words "one thousand dollars," and insert in lieu thereof "one hundred dollars," and by striking out "and imprisonment in the county jail not less than six nor more than twelve months," where they occur in section 3.

Mr. Anderson moved that said bill and the proposed amendments thereto be recommitted to the Committee on General Statutes.

Mr. Peterman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Anderson, and it was decided in the negative.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Bradley to said bill, and it was decided in the affirmative.

Mr. Breckinridge moved to reconsider the vote by which the Senate had adopted said amendment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
William Goebel,	J. W. McCain,	Phil. Roberts,
J. B. Hannah,	J. M. Pieratt,	D. H. Smith,
John R. Kemp,	Chas. B. Poyntz,	D. W. Wright—12.

Those who voted in the negative, were—

Ben F. Bradley,	T. L. Glenn,	James H. Mulligan,
Reuben Conner,	John K. Hendrick,	John P. Newman,
W. W. Dickerson,	William Lindsay,	Chas. Patteson,
Sam E. English,	D. L. May,	A. L. Peterman—12.

Mr. Peterman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Lindsay to the amendment proposed by Mr. Newman to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Newman, as amended, to said bill, and it was decided in the affirmative.

Mr. Poyntz moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	John K. Hendrick,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
G. W. Gates,	J. W. Martin,	B. F. Reynolds,
T. L. Glenn,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	J. W. McCain,
Reuben Conner,	J. H. Lunsford,	John P. Newman,
Sam E. English,	D. L. May,	Chas. Patteson,
J. B. Hannah,	James H. Mulligan,	Phil Roberts—12.

The Senate then adjourned, and further action thereon was cut off.

FRIDAY, APRIL 4, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend chapter 291 of the Session Acts of 1867-8, so far as it applies to Shelby county.

That they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to permit the wife to testify in certain criminal and penal cases against the husband.

That they had passed bills of the following titles, viz :

1. An act to amend section 710 of the Civil Code of Practice.
2. An act to amend section 2 of an act, entitled "An act to amend section 10, article 17 of chapter 29 of the General Statutes," approved April 13, 1880.
3. An act to amend article 26, chapter 29 of the General Statutes.
4. An act to prohibit hunting and fishing by non-residents of this Commonwealth in Bayou Precinct, in McCracken county.
5. An act to amend an act, entitled "An act to repeal an act, entitled 'An act to authorize the people of Lincoln county to vote on prohibiting sale of liquors in said county, said county to vote on said repeal,' " by striking out the word repealed in the first section, and insert in lieu thereof the word suspended.
6. An act for the benefit of criminals under sixteen years of age.
7. An act to amend section 710, Civil Code of Practice.
8. An act to change the time of holding the Lincoln County Court from first Monday in each month to the second Monday.
9. An act to amend the charter of the town of Hustonville, Lincoln county.
10. An act to repair and keep in repair the public roads of Mercer county.
11. An act to authorize George C. Perry or his assigns to erect a mill-dam across Greasy creek, in Johnson county.

12. An act to regulate the civil jurisdiction of justices of the peace in Montgomery county.

13. An act to authorize the Mt. Washington Precinct, in Bullitt county, to subscribe to the capital stock of the Louisville Southwestern Railroad Company.

14. An act to resubmit to the qualified voters of Pulaski county the question as to whether said county shall subscribe to the capital stock of the Cincinnati, Alabama and Atlantic Railroad Company.

15. An act to incorporate the Beaver Valley Land and Improvement Company.

16. An act for the benefit of common school district No. 9, in Lincoln county.

17. An act to incorporate the Shelby and Spencer Fishing and Game Club.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 7th to the Committee on Codes of Practice; the 2d, 3d and 17th to the Committee on General Statutes; the 4th and 11th to the Committee on Propositions and Grievances; the 5th, 8th, 9th and 10th to the Committee on the Judiciary; the 12th to the Committee on Courts of Justice; the 13th and 14th to the Committee on Railroads; the 15th to the Committee on Agriculture and Manufactures; the 16th to the Committee on Education, and the 6th to the Committee on Penitentiary and House of Reform.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to change the boundary lines between Washington, Anderson and Mercer counties,

Reported the same, without amendment.

Said bill reads as follows, viz:

WHEREAS, That portion of Washington county that is by the provisions of this act detached from Washington county and made part of Anderson and Mercer counties, in twenty-five miles or more from Springfield; the county seat of Washington

county, and is within fifteen miles of Lawrenceburg and Harrodsburg, the county seats of Anderson and Mercer counties; and whereas, a majority of the citizens residing in said detached portion of Washington county have petitioned the General Assembly to pass an act to change the boundary lines of said counties as hereinafter provided; and whereas, notice of such proposed change of county lines was published for more than two months prior to the meeting of the present Legislature as required by law; therefore

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the boundary line between Washington county and Anderson county be, and the same is hereby, changed, and shall hereafter be as follows, to-wit: Beginning at the corner of Nelson and Anderson counties in the Washington county line as now established; thence in a south-eastern direction to the center of Beaver creek where the turnpike crosses same; thence with the turnpike as it meanders to the center of Sulphur creek; thence up Sulphur creek as it meanders to a point directly north of the junction of the turnpikes leading to Dugansville and Duncansville, in Mercer county, near the residence of Henry Graham.

§ 2. That the boundary line between Washington and Mercer counties be changed at the points herein indicated, and at such points shall be as follows, to-wit: Beginning at a point on Sulphur creek, directly north of the said junction of said turnpike roads, thence a straight line to the junction of said turnpike roads in the center of said roads; thence with the turnpike leading to Duncansville, as it meanders to where the same crosses the Washington and Mercer county line as now established.

§ 3. That the boundary or division line between Anderson and Mercer counties across that portion of Washington county hereby detached, shall be as follows: Beginning at the point in Sulphur creek north from the junction of the turnpikes leading to Dugansville and Duncansville, as aforesaid; thence up the center of Sulphur creek as it meanders to Cheese Lick; thence up Cheese Lick to the Anderson county line, at or near the corner to Mercer county as now established.

§ 4. That the portion of Washington county as hereby detached by changing the line between said counties as aforesaid, that is beginning at the corner of Anderson and Nelson counties; thence to the pike crossing Beaver creek; thence with the pike to Sulphur creek; thence up Sulphur creek to Cheese Lick creek; thence up Cheese Lick creek to the Mercer or Anderson county line, shall hereafter constitute and be a portion of Anderson county. The remainder of the detached portion of Washington county shall hereafter be and constitute a part of Mercer county.

§ 5. That the boundary lines as herein indicated shall be surveyed by courses and distances, and the lines and corners marked by fixed visible objects, within sixty days after the

passage of this act, by the surveyor of Washington county, and a copy of such survey be filed with the county court clerks of Washington, Anderson and Mercer counties, and to be recorded in their respective offices.

§ 6. That neither Anderson county nor Mercer county shall be liable for any part of the cost of such survey.

§ 7. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 8. This act shall take effect and be in force from and after its passage.

Ordered, That said bill be read a third time.

Mr. Lindsay objected to the third reading of said bill on this day.

Mr. Smith moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lindsay, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	A. L. Peterman,
R. J. Breckinridge,	J. B. Hannah,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	John McCann,	D. H. Smith,
G. W. Gates,	Chas. Patteson,	D. W. Wright—20.
T. L. Glenn,	J. J. Paul,	

Those who voted in the negative, were.

John K. Hendrick, William Lindsay, Phil Roberts—3.

Ordered, That the vote ordering said bill to a third reading be reconsidered.

On motion of Mr. Lindsay—

Ordered, That said bill be recommitted to the committee on the Judiciary, with directions to report the same on Friday next, April 11th.

The Senate took up for consideration the unfinished report of yesterday of the Committee on General Statutes, being a bill, which originated in the Senate, entitled

An act to secure the attendance of witnesses before joint com-

mittees appointed by the General Assembly of the Commonwealth of Kentucky, and prescribing punishments against witnesses for certain offenses.

(For bill, see Journal of yesterday.)

Mr. Dickerson on yesterday proposed the following amendment to said bill, viz :

Amend by striking out "five hundred dollars," and in lieu thereof insert "twenty-five dollars," and by striking out "one thousand dollars," and in lieu thereof insert "one hundred," where they occur in section 2.

And the question being taken on the adoption of said amendment, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. McCain and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson, Sam E. English, J. W. McCain—3.

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	Chas. B. Poyntz,
W. F. Berry,	J. B. Hannah,	B. F. Reynolds,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	J. W. Martin,	D. W. Wright—14.
Reuben Conner,	A. L. Peterman,	

The Speaker laid before the Senate the petition of sundry citizens of Newport and Campbell county, Kentucky, praying the passage of an act repealing an act, entitled "An act empowering the municipalities of Campbell county to regulate the observance of Sunday therein," approved February 21, 1890.

Mr. Newman moved to refer said petition to the Committee on Courts of Justice.

Mr. Kemp moved to amend said motion by substituting the Committee on Religion and Morals for the Committee on Courts of Justice.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. Newman, and it was decided in the affirmative.

Mr. Goebel, from the Committee on General Statutes, to whom was referred a bill which originated in the House of Representatives, entitled

An act changing the boundary and limits of the city of Owensboro, in Daveiss county, Kentucky,

Reported the same, without amendment.

Mr. Gates proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act for cleaning out North Panther creek, in Daveiss county, Kentucky.

By same—

An act to incorporate the Persimmon Grove and Grant's Lick Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to provide for removing obstructions in the water courses of Calloway county," approved the eighth day of March, 1886.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, to amend an act, entitled "An act to incorporate the town of Briansburg, in Marshall county."

By same—

An act to authorize the county court of Mercer county to surrender and cancel its stock in the Harrodsburg and Chaplin River Turnpike Road Company, from Dixville to Stewart's, and convert same into a county road.

By same—

An act to amend the charter of the town of Burgin, in Mercer county.

By same—

An act to amend an act, entitled “An act for the benefit of McCracken county, empowering it to issue bonds and levy and collect taxes to pay for same, for the purpose of refunding its bonds at a lower rate of interest.”

By same—

An act to empower the county court of McCracken county to buy stock in the gravel roads in said county, and to issue bonds to pay for same.

By same—

An act to amend an act in relation to the charter of Tyrone, in Anderson county, approved April 24, 1884.

By Mr. Lindsay, from the same committee—

An act to amend section 9 of chapter 49 of an act, entitled “An act chartering the Graves Banking and Trust Company,” approved January 27, 1888.

By same—

An act to incorporate the Avenstoke and Wilson Creek Turnpike Road Company.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the acts in relation to the town of Harrodsburg,” approved April 1, 1881.

By same—

An act to incorporate the Old Alton and New Alton Turnpike Road Company, in Anderson county.

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to incorporate the Frankfort and Flat Creek Turnpike Road Company,’ ” approved February 15, 1869.

By same.

An act to amend an act, entitled “An act to reduce into one the several acts concerning the town of Greensburg,” approved April 26, 1880.

By same—

An act for the benefit of Lawrenceburg and Camdenville Turnpike Road Company, No. 2., in Anderson county.

By same—

An act to incorporate a turnpike road in Franklin county

from a point on the Frankfort and Lawrenceburg turnpike road, between the lands of J. N. Blakemore and sisters to a point on the Harrodsburg and Louisville turnpike road, near Edward Thomas.

By same—

An act to amend an act, entitled “An act to charter the Lowell and Spoonville Turnpike Road Company.

By same—

An act to incorporate the Camdenville and Johnsonville Turnpike Road Company, in Anderson county.

By Mr. Breckinridge—

An act to establish an additional Justices’ District in Lincoln County, “Hubble.”

By same—

An act to amend the charter of the town of Horse Cave, in Hart county.

By same—

An act to amend an act, entitled “An act to amend, digest and reduce into one all the acts incorporating the city of Lexington,” approved April 19, 1882, and all acts amendatory thereof.

By same—

An act to incorporate the Greensburg, Summersville and Caney Fork Turnpike and Bridge Company, in Green county, Kentucky.

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to amend an act, entitled “An act to amend and reduce into one the several acts respecting the town of Fulton.”

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to prevent stock from running at large in the Brooksville and Berlin precincts, in Bracken county.

By same—

An act to amend an act, entitled “An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties.”

By same—

An act to provide for removing obstructions in water-courses in Marshall county.

By same—

An act to amend the charter of the town of Glasgow.

By same—

An act to prohibit the owners or bailees of horses, cattle or other animals from allowing the same to go at large in Mount Zion Magisterial District, in Grant county, and to make the owner or bailee of such animals liable for all trespasses, damages or injuries committed by them.

By same—

An act to incorporate Oil City, in Barren county.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act creating the voting precinct of Waddy, in Shelby county.

By Mr. Wright, from the Committee on General Statutes—

An act to incorporate the town of Rosewood, in the county of Muhlenberg.

By Mr. Goebel, from the same committee—

An act for the benefit of the town of Auburn.

By Mr. McCann, from the same committee—

An act for the benefit of Muhlenberg county.

By same—

An act to amend the charter of the city of Hopkinsville, in Christian county.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the acts relating to the town of Russellville,” approved May 1, 1880.

By same—

An act to amend an act incorporating the town of Central City, Muhlenberg county, Kentucky.

By same—

An act to incorporate the Platt-deutschen Schultzen Gesellschaft of Louisville.

By Mr. McCann, from the Committee on Courts of Justice—

An act to provide for the appointment of a clerk for the jury commissioners of Jefferson county.

.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend the charter of the town of Alexandria, in Campbell county.

By same—

An act to incorporate the Edison Electric Illuminating, Heating and Power Company, of Newport, Kentucky.

By same—

An act to amend an act, entitled “An act to incorporate the Newport Electric Street Railway Company,” approved March 21, 1890.

By Mr. Peterman, from the Committee on Education—

An act to incorporate the Patterson Literary Society of the Agricultural and Mechanical College of Kentucky.

By same—

An act to repeal section seven of an act, entitled “An act to charter the South Carrollton Male and Female Academy,” approved February 23, 1874, and to place districts Nos. 12 and 19, referred to in said act, back into their original places as other common school districts in said county.

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to amend an act, entitled ‘An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein,’ ” approved April 1, 1886.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled “An act to establish a board of county commissioners for Jefferson county,” approved April 6, 1888.

By same—

An act to incorporate the East Fork Turnpike Road Company, in Madison county.

By same—

An act to regulate the making, altering and repairing county roads of Marion county.

By same—

An act to amend an act, entitled “An act to incorporate the Steele’s Turnpike Road Company,” approved March 28, 1872.

By same—

An act to amend the charter of the town of Nicholasville.

By same—

An act to incorporate the Nicholasville and Bethel Turnpike Road Company.

By same—

An act to incorporate the Maple Turnpike Road Company.

By same—

An act to provide for constructing, improving and maintaining public roads and bridges in Christian county.

By same—

An act to authorize a certain portion of Jessamine county to subscribe to the capital stock of the East Hickman, Jessamine County, Turnpike Company, and to provide for the payment of the same.

By same—

An act to amend an act, entitled "An act to incorporate the Sugar Creek and Watts' Mill Turnpike Road Company."

By same—

An act to amend an act to incorporate the Cartwright's Creek, Bear Wallow and Manton Turnpike Road Company, in Washington county, and to authorize the Washington County Court to take stock in same.

By same—

An act to charter the Mortonville and Clear Creek Turnpike Road Company, in Woodford county.

By same—

An act to incorporate Bell and Harlan County Turnpike Road Company.

By same—

An act to authorize the county court of Bell county to issue bonds for the purpose of raising money to build a bridge across the Cumberland river at Pineville.

By same—

An act for the benefit of Springfield Turnpike Road Company and the Walton's Lick Turnpike Road Company, in Washington county.

By same—

An act to amend the Blue Run and Anderson's Ferry Turnpike Road Company, in Mason county, approved March 2, 1870.

By same—

An act to incorporate the East Fork Turnpike Road Company.

By same—

An act to incorporate the Grant's Lick and Old State Road Turnpike Road Company, in Campbell county.

By same—

An act to provide a road law for Johnson county.

By same—

An act to establish a road law for Floyd county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act changing the boundary line between Justices Districts Nos. 2 and 3 of Meade county, and to change the voting place in District No. 2 from Meadeville to Gaston,

With amendments to the three last-named bills,

Which were adopted.

Ordered, That said bills, the three last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, to which they were referred, viz :

By Mr. McCann, from the Committee on General Statutes—

An act to prevent fast riding and driving across bridges in Elliott county.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend the charter of the city of Newport.

By same—

An act to amend the charter of the incorporated district of Highlands, in Campbell county.

By same—

An act to provide for sewerage in the city of Dayton.

By same—

An act incorporating the Citizens' Electric Light Company of Dayton, Kentucky.

By Mr. Peterman, from the Committee on Education—

An act to change the line between common school district No. 26 and common school district No. 1, in Montgomery county.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Campbellsville, Elkhorn and Manns-ville Turnpike Road Company, in Taylor county, Kentucky.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to incorporate the Central Kentucky Mining, Manufacturing, Lumber and Real Estate Company.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act to amend and reduce into one the several acts in relation to the town of Rochester,” approved — day of —, 18—.

By same—

An act for the benefit of David Kirby, of Warren county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to repeal an act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquor in Boone county, in so far as it applies to the precincts of Florence, Burlington, Petersburg and Bellview, and to provide a vote on same,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the act, entitled “An act to prohibit the sale, barter, loan or traffic in spirituous, vinous or malt liquors in Boone county,” approved April 14, 1886, chapter 644,

pages 1406-7-8-9, volume one, Session Acts, 1885-6, in and so far as the same applies to the four precincts of Florence, Burlington, Bellview and Petersburg, in Boone county, be, and the same is hereby, repealed.

§ 2. That it shall be the duty of the county judge in Boone county to order an election in each of the four aforesaid voting precincts at the regular August election, 1890, by an order entered in the order-book of said court at least twenty days before said election, directing that the officers of the regular August election, hold an election in each of the four precincts to ascertain the wishes of the legal voters therein as to whether they are for or against the license and sale of spirituous, vinous or malt liquors in said precincts or not.

§ 3. That it shall be the duty of the county court clerk to make two extra columns in the poll-books for each of the four precincts aforesaid, and in one column he shall write the question: "Are you in favor of granting license for the sale of spirituous, vinous or malt liquors?" In the other column he shall write: "Are you in favor of prohibition?" and the judges shall propound to each voter the question in the above form and record his name accordingly. Said election shall be advertised for two weeks in county paper.

§ 4. That if it shall appear when the officers compare the poll-books (who shall be the same officers who compare the votes cast at the regular election) that a majority of the votes cast in all or any one of the aforesaid precincts have voted in favor of license, that fact shall be entered of record on the order-book what precincts have voted for the licensing and sale of spirituous or vinous and malt liquors, and then it shall be the duty of the county judge to grant license to applicants in such precincts, provided, however, he comply with the law with reference to notice, good character, etc., as is provided by Statute; and if a majority of the legal voters voting at said election be in favor of prohibition in any one of the aforesaid precincts, that fact shall appear by an order entered in the order-book of the county court, showing which of the four precincts voted in favor of prohibition, and it shall be unlawful for the county judge to grant license in any precinct in which a majority voted in favor of prohibition.

§ 5. That if any officer fails or refuses to comply with this law, he shall lay himself liable to be indicted and fined by a jury in the Boone Circuit Court, in any sum not less than fifty dollars nor more than one hundred dollars for such failure or refusal.

§ 6. That this act will take effect from its passage and be in force from its adoption by the voters as aforesaid.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Conner and Dickerson, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	Chas. B. Poyntz—5.
W. W. Dickerson,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	J. W. Martin,	D. H. Smith,
J. B. Hannah,	J. J. Paul,	D. W. Wright—18.

So said bill was disagreed to.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to increase the jurisdiction of justices of the peace in McCracken county;

An act to establish a road district in Boone county;

An act to incorporate the Burlington and Normansville Turnpike Road Company;

An act to incorporate the Burlington and Union Turnpike Road Company;

An act to authorize the procuring of copies of the muster rolls of the several military organizations from Kentucky in the Confederate army, and for their preservation when obtained ;

An act to amend an act incorporating the town of Sulphur, in Henry county;

An act to amend and reduce into one the act incorporating the Marion and New Liberty Turnpike Road Company, in Owen county;

An act in relation to roads and bridges in Calloway county;

An act to amend the charter of the town of Crab Orchard, Lincoln county, Kentucky;

An act to authorize the county court of Casey county, Kentucky, to take stock in turnpike roads and for other purposes ;

An act to incorporate the city of Pineville, in Bell county;

An act to amend the charter of the town of Petersburg, in

Boone county, extend the boundary limits of said town and grant additional powers ;

An act to repeal the charter of the town of Greenup, Greenup county, and the acts amendatory thereto, and to reincorporate said town ;

An act empowering Lyon county to compromise its debts, and, for the purpose, to levy and collect taxes, and to elect sinking fund commissioners ;

An act to incorporate the Lebanon Street Railway Company ;

Resolution appropriating money to relieve sufferers by the late tornado ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to prevent trespassing on real estate in the county of Fayette ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to establish a superior court, and to regulate the same,' " approved March 18, 1886 ;

An act to amend section 5, article 2, chapter 16, General Statutes ;

An act to amend section 18 of chapter 31 of the General Statutes ;

An act creating a new charter for the town of Stamping Ground, Scott county ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Robert Clark and Lewis Sandlin, of Clay and Jackson counties,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third

reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message in writing was received from the Governor by Mr. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846.

An act to incorporate the Peoples' Savings Bank and Trust Company of Newport, Campbell county, Kentucky.

An act to incorporate the Mitchell, Finch & Co.'s Bank, of Maysville, Kentucky.

An act to incorporate the Bank of Ashland.

An act to incorporate the Hickman County Bank.

An act to incorporate the Farmers' and Merchants' Bank in the city of Hopkinsville, Christian county.

An act to amend an act, entitled "An act to incorporate the Paducah Street Railway Company.

An act to amend the turnpike laws of Trimble county.

An act to amend an act, entitled "An act to incorporate the Kentucky Rock Gas Company."

Leave was granted to bring in the following bills, viz:

On motion of Mr. Cockrell—

1. A bill to amend an act, entitled "An act to incorporate the Charleston, Kentucky and Western Railway Company," approved May 15, 1886.

On motion of Mr. Poyntz—

2. A bill to amend chapter 383 of the Acts of the General Assembly, approved March 11, 1878, entitled "An act to define the duties and fix the compensation of the Public Printer and Binder.

On motion of Mr. Hannah—

3. A bill to amend article 11, chapter 41, General Statutes.

On motion of Mr. English—

4. A bill to incorporate the Kentucky Netherlands Trust Company.

On motion of Mr. Wright—

5. A bill to amend chapter 113 of the General Statutes.

On motion of same—

6. A bill to amend section 696, chapter 4, title 15 of Civil Code.

On motion of same—

7. A bill to amend an act, entitled "An act to incorporate the Bowling Green Land and Improvement Company."

On motion of same—

8. A bill to amend section 694, chapter 4, title 15 of the Civil Code of Practice.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Printing the 2d; the Committee on General Statutes the 3d, 5th and 7th; the Committee on Banks and Insurance the 4th, and the Committee on Codes of Practice the 6th and 8th.

Mr. Darby moved that when the Senate adjourn it be to meet on Monday next, April 7th, at 3 o'clock P. M.

Mr. Roberts moved that when the Senate adjourn it be to meet on Tuesday, April 8th, at 3 o'clock P. M.

And the question being taken on the motion made by Mr. Roberts, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

F. W. Darby,	John K. Hendrick,	C. B. Poyntz,
W. W. Dickerson,	John P. Newman,	Phil Roberts,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—10.
William Goebel,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. J. Paul,
W. F. Berry,	William Lindsay,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	J. W. Martin,	B. F. Reynolds,
Reuben Conner,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry—20.
J. B. Hannah,	John McCann,	

The question was then taken on the motion made by Mr. Darby, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	William Goebel,	J. J. Paul,
Reuben Conner,	J. B. Hannah,	A. L. Peterman,
F. W. Darby,	John K. Hendrick,	Chas. B. Poyntz,
W. W. Dickerson.	John McCann,	B. F. Reynolds,
Sam E. English.	John P. Newman,	Phil Roberts,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—18.

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	J. W. McCain,
W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
Ben F. Bradley,	J. W. Martin,	D. H. Smith,
B. F. Cockrell,	D. L. May,	G. Terry—13.
John R. Kemp,		

Mr. Newman moved to reconsider the vote by which the Senate adopted the motion made by Mr. Darby, that when the Senate adjourn, it be to meet on Monday next, April 7th, at 3 o'clock P. M.

Mr. Newman moved to lay that motion on the table.

Mr. Smith moved a call of the Senate.

Mr. Newman withdrew the motion made by him to reconsider the vote by which the Senate adopted the motion of Mr. Darby, that when the Senate adjourn, it be to meet on Monday, April 7th, at 3 o'clock P. M.

The question being taken upon Mr. Smith's motion for a call of the Senate,

Pending the further consideration thereof, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off,

And then the Senate adjourned.

MONDAY, APRIL 7, 1890.

The reading of the Journal of Friday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the North Middletown Chapter, No. 26, R. A. M., at North Middletown, Bourbon county.

An act to make provision for the establishment of water-works in the city of Stanford, and authorize the city council of the city of Stanford to issue bonds to aid in the establishment of water works for said city, and to provide for the payment of the principal and interest of said bonds.

An act to incorporate the bank of D. A. Sayre & Co., of Lexington, Kentucky ;

An act to incorporate the Buckeye and Poor Ridge Turnpike Road Company, in Garrard county.

An act for the benefit of the Mt. Sterling and Levee Turnpike Road Company, in Montgomery county, to prevent stock from running at large on said road.

An act to authorize the county of Henderson to purchase the gravel roads now constructed in said county, and to extend and maintain said gravel roads, and to construct and maintain others.

An act to allow the Marshall county court of claims to levy an ad valorem tax for general county purposes.

An act to change the boundary line between Common School Districts Nos. 14 and 18, in Marion county.

An act to incorporate the Butler Deposit Bank.

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county," approved May 1, 1884.

An act providing for the levy and collection of an annual tax in Breckinridge county for the improvement of public highways in said county.

An act to establish the boundary line between the counties of Bourbon and Harrison.

An act to authorize the Cynthiana and Millersburg Turnpike Company to collect toll on said road at present gate.

An act to authorize the county court of claims of Jefferson county to increase their county levy.

An act to incorporate the Farmers' and Mechanics' Building and Loan Association of Bowling Green, Kentucky.

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county."

An act to incorporate and define the corporate limits of the town of Fallsburg, in Lawrence county.

An act to amend an act, entitled "An act to incorporate the Augusta and Berlin Turnpike Road Company, in Bracken county," approved March 16, 1869.

An act to amend an act to incorporate the town of Pleasureville, in Henry county, approved March 22, 1871, and to enlarge and define the boundary of said town, and to establish a police court therein, etc.

An act to incorporate the Gibson Lodge, No. 553, of Free and Accepted Masons.

An act for the benefit of Common School District No. 23, in Livingston county, Kentucky.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to roads and bridges in Union county."

An act to authorize a vote in Owen county in aid of a railroad.

An act amending and reducing into one the several acts relating to the town of Scottsville.

An act to incorporate a board of trustees of the executive board of the churches of the North Bend Association of Baptists.

An act to prevent drunkenness at places of worship and schools in certain counties in this Commonwealth.

An act to incorporate Breathitt Lodge, U. D. F. and A. M., of Breathitt county.

An act to regulate the sale of spirituous, vinous or malt

liquors in civil district No. 3, precincts Nos. 3 and 5, in Garrard county.

An act to organize and establish a system of public graded schools in Lancaster, Kentucky.

An act to amend an act, entitled "An act to incorporate the Townsend Branch Turnpike Road Company, in Bourbon county," approved April 6, 1882.

An act to amend section 1, article 1, chapter 94, General Statutes.

An act to establish a new voting place in Muhlenburg county, Kentucky.

An act to amend an act, entitled "An act to charter the Vanceburg, Salt Lick, Tollesborough and Maysville Turnpike Road Company."

An act to charter Johnson College.

An act to amend article 3, chapter 92, General Statutes, "Revenue and Taxation.

An act to amend the charter of the town of Trenton, Todd county.

An act to amend an act, entitled "An act to amend an act to amend and revise the charter of the city of Mayfield, Graves county."

An act to amend an act, entitled "An act to amend and revise the charter of the city of Mayfield, Graves county."

An act to regulate the sale of spirituous, vinous or malt liquors, or any mixture of either, within a radius of two miles of certain church-houses in Clinton county.

An act to amend an act, entitled "An act to create a board of commissners for Magoffin county, and prescribe their duties and powers," approved March 24, 1888.

An act to organize and establish a system of Public Graded Schools in Junction City, Boyle county.

An act to incorporate the Silver Creek, Scaffold Cane and Mt. Vernon Turnpike Company.

An act to incorporate the Richmond Water Works and Sewerage Company.

An act to incorporate the Ashland Water Supply Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Eminence, in Henry county."

An act to declare Woodcock's Branch, in Henry county, a navigable stream from Grub Ridge Church to Big Six-mile creek.

An act to authorize the city of Hawesville to compel lot owners to pave and to provide a fund to gravel or macadamize certain streets.

An act to provide a tax on dogs in Vanover's precinct in Daveiss county.

An act to amend an act, entitled "An act to incorporate the town of Sacramento, in McLean county," approved March 1, 1860.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Mitchellsville and Dry Creek Plank Road Company, in Boone county,' " approved February 2, 1866.

An act to incorporate the Wallace Mill Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Farmers' and Drovers' Bank of Eminence, Kentucky," approved May 12, 1886, empowering said bank to act as a trust and safety vault company.

An act to incorporate the Camp Creek, Oakland, Flat Run and Powersville Turnpike Road Company, in Bracken county.

An act to levy a tax and provide for the improvement of roads in Adair and Laurel counties.

An act to amend an act to incorporate the town of Lockport, in Henry county," approved March 9, 1854, and amendments thereto.

An act to amend an act, entitled "An act to incorporate the town of West Point, Kentucky," approved March 12, 1870.

An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors in Logan county, Kentucky," approved March 13, 1886.

An act to authorize the printing of a roster of the officers and soldiers from Kentucky in the War of 1812-15.

An act to amend an act, entitled "An act to regulate the sa e

of spirituous, vinous and malt liquors in Woodford county," which became a law April 21, 1888, and the acts amendatory thereof, approved April 27, 1888.

An act to incorporate the Big Hill and Manchester Railroad Company.

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

A resolution providing for the relief of the sufferers from the recent tornado that passed through the State of Kentucky.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to establish a road law for Floyd county.

An act to provide a road law for Johnson county.

An act changing the boundary line between Justices' Districts Nos. 2 and 3 of Meade county, and to change the voting place in District No. 2 from Meadeville to Gaston.

An act to amend an act, entitled "An act to amend an act to amend the charter of Beech Grove, McLean county," approved March 27, 1888.

An act requiring watchmen to be kept at certain crossings of highways by railroads, in Fayette county, and fixing penalties.

An act changing the boundary and limits of the city of Owensboro, in Daviess county.

An act to incorporate the Prestonsburg Street Railway Company.

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

That they had concurred in a joint resolution and passed bills, which originated in the Senate, of the following titles, viz:

Resolution authorizing the State Teachers Association to occupy Senate Chamber and House of Representatives for their June session, 1890.

An act to amend an act, entitled "An act to provide an act, entitled 'An act to provide for organizing and establishing a system of public schools in Winchester,'" approved April 15, 1873.

An act to amend an act, entitled "An act to incorporate the Georgetown Street Railway Company," approved May 1, 1888.

That they had receded from an amendment hitherto adopted by them to a bill which originated in the Senate, entitled

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky Penitentiary," approved May 3, 1880, and the several amendments thereto.

That they had adopted joint resolutions and passed bills of the following titles, viz :

1. Resolutions in relation to the sufferers from the late tornado in Allen county.

2. Resolution in relation to the sufferers by the late tornado in Muhlenburg county.

3. An act to dispose of the stock owned by the State of Kentucky in the Springfield and Bardstown Turnpike Road Company.

4. An act to amend an act, entitled "An act to prevent stock from running loose within the corporate limits of the town of Ghent.

5. An act to incorporate the Bracken County Bank, at Brooksville.

6. An act to authorize T. J. Fraley to erect a mill dam across John's creek, in Floyd county.

7. An act to incorporate the Lexington and Richmond Railway Company.

8. An act to incorporate the Central Electric Company.

Which bills and resolutions were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolutions being dispensed with,

They were referred—the 1st and 2d to the Committee on Appropriations ; the 3d, 4th and 6th to the Committee on Propositions and Grievances ; the 5th to the Committee on Banks and Insurance, and the 7th and 8th to the Committee on Railroads.

A message in writing was received from the Governor by Mr. Ed Porter Thompson, Private Secretary.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, April 7, 1890. }

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

A. Y. Culton, Knox county.
Clinton Cribbins, Bell county.
Miss T. R. Higgins, McCracken county.
R. W. Minter, Owsley county.
W. C. Porter, Hickman county.
W. O. Rigney, Garrard county.
Julius A. Stege, Jefferson county.
Frank D. Swope, Jefferson county.
W. R. Abbott, Jefferson county.
Ben A. Adams, Kenton county.
Henry Acker, Union county.
Younger Alexander, Robertson county.
J. Sylvester Allen, Ohio county.
Wm. L. Allen, Jefferson county.
W. E. Abbott, Scott county.
L. B. Anderson, Graves county.
Harry E. Allen, Madison county.
Frank M. Brown, Campbell county.
Arthur R. Bell, Jefferson county.
G. Al Birch, Jefferson county.
Taylor Brent, Kenton county.
David Boman, Clay county.
T. W. Buckner, Henderson county.
Barnes W. Henry, Butler county.
Thos. C. Birge, Kenton county.
Geo. G. Briggs, Jefferson county.
John P. Sacksteder, Jefferson county.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Mr. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bremen College, including Perry-

man Male and Female Academy, of Bremen, Muhlenburg county.

An act creating a new charter for the town of Stamping Ground, Scott county.

An act to incorporate the Columbia Finance and Trust Company of Louisville, Kentucky.

An act to prevent shipping for market partridges out of McLean county within two years.

An act to create a new voting precinct at Crabtree Mines, in Hopkins county.

An act to amend an act, entitled "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same," approved 28th April, 1884.

An act to incorporate the Union Bank, Maysville, Kentucky.

An act to incorporate the Bank of Louisa.

An act to amend an act, entitled "An act to incorporate the Bank of Cumberland," approved February 28, 1890.

An act to amend the charter of the German Savings and Homestead Fund Company.

An act to further amend an act, entitled "An act to amend the charter of New Castle, and to reduce into one the amendments thereto," approved 25th March, 1882, volume 1, page 1011.

An act to amend an act, entitled "An act to reincorporate and amend the laws for the town of Campbellsville, Taylor county," approved March 19, 1888.

An act to amend an act to authorize the people of Boyle county to vote on prohibiting the sale of liquors in said county, approved January —, 1890.

An act to incorporate the town of Berea, in Madison county, Kentucky.

An act repealing an act amending the charter of the Farmers' and Drovers' Bank of Louisville, approved January 28, 1890.

An act to amend an act, entitled "An act to amend an act, entitled "An act to establish a superior court and to regulate the same," approved March 18, 1886.

An act to amend section 5, article 2, chapter 16, General Statutes.

An act to incorporate the Union Dime Savings Bank.

Mr. Smith read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Speaker of the Senate be allowed mileage for this session at the same rate per mile allowed to Senators and Representatives, the same to be paid by the Auditor of Public Accounts drawing his warrant upon the Treasury therefor when the same shall be certified to him by the Clerk of the Senate.

2. This resolution shall take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

A message in writing was received from the Governor by Mr. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, April 4, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill originating in the Senate, and entitled "An act to incorporate the Kenyon Bank, Trust and Guarantee Company."

The title of the bill does not accord with the name given in the first section, where the corporation is styled the "Kenyon Trust and Guarantee Company of Louisville, Kentucky," though banking privileges are given in section ten, and the powers of a safety deposit company, as well as those of loaning deposits and other money are given in sections two and three.

The first section also empowers the company "to establish and maintain branches, branch offices and agencies at such other places in or out of the United States, and, for such periods as to the board of directors of said company may appear necessary or convenient," and section six authorizes the board to meet at any place they may select.

The first section also authorizes the company to acquire real estate in various ways, and the proviso at the end of the section is so framed as to authorize it to retain the lands obtained under mortgage sales or purchases, even though not necessary for the business of the company.

The fourth section fixes the capital stock at \$50,000, and authorizes business to be commenced on a subscription of \$20,000 and the payment of \$10,000. Authority is also given to increase the capital, from time to time, "to such an extent and such an amount as the board of directors may deem for the best interests of the company." No limit is fixed to the amount of the increase, but such increase shall not go into effect until official notification of the proposed increase is given to the Secretary of State; but no provision is made for the payment of any portion of the stock beyond the first amount of \$10,000.

The powers conferred in a charter should be sufficiently distinct to limit the beneficiaries to some definite class of duties or business, and the title of the bill should be some index to the public of the purposes of the act.

While the title of the present bill would seem to restrict the company to a particular line of duties, the body of the bill permits an almost unlimited range of privileges to the corporation. This is especially observable in the sixth section, where it is enacted:

"That the directors, or a majority of them, for the time being, shall have power to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper for the management, custody and disposition of the assets of the company, of whatever nature the same may be, and for the government of said corporation, and the transaction of its business and to fulfill the purposes of this act, and to amend, alter and revoke the same at pleasure, provided nevertheless, that such by-laws, rules and regulations shall not be repugnant to the Constitution of this State or of the United States."

In a previous section this corporation seemed willing to subordinate its regulations in regard to certain parts of its business to the "laws of the State of Kentucky or of the United States," but in this section while conceding the supremacy of the constitutions it seems to claim the right of legislating in such a way as to subordinate the laws of the State to its own by-laws, when it chooses to legislate in regard to "the disposition of the assets of the company of whatever nature the same may be," and for "the transaction of its business." Assuming that the

General Assembly could thus delegate its powers of legislation, there would be no restriction whatever on the character of the business this corporation might undertake, or of the legislation it might enact in pursuit of its objects.

If the company is designed to be what the title of the bill indicates that it ought to be, the small amount of the payment required on its stock is no adequate security for any of the purposes indicated; especially when it is authorized to dispose of its assets in any manner that it pleases. If it proposes to embark in business foreign to that indicated by the title, the nature of the business should be distinctly defined and not left to conjectures based upon the character of the legislation which it may enact from time to time, in the interests of its own ventures.

It is not seen that any public benefit can be subserved by this proposed legislation. The act might have a merchantable value in the charter markets of the world, with those who might believe that they had purchased the right to legislate in their own interests regardless of the right of the public, but the price of the charter would eventually be the cost of society at large.

It is believed that the Senate, while convinced that the General Assembly can not delegate the powers of legislation to a corporation to be used for its own selfish purposes, will not leave a bill, which bears even the semblance of delegating such a power, to encumber the statute books of the Commonwealth.

Respectfully,

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. J. McDonald, J. T. O'Neal, Zack Phelps, John Buckley, Wm. L. Jackson, Jr., A. W. Keating, John McCann, D. L. May, George Bierod, and such others as may become their associates, successors and assigns, shall be, and they are hereby, ordained, constituted and declared to be a body-politic and corporate, by the name of "The Kenyon Trust and Guarantee Company, of Louisville, Kentucky," and it is hereby authorized to establish and maintain branches, branch offices and agencies at such places in or out of the United States, and for such periods as to the board of directors of said company may appear necessary or convenient; to sue and be sued,

to plead and be impleaded in all courts of justice, and to have and to use a common seal, and the same to alter and change at pleasure; and they shall also be, and are hereby empowered, to purchase, hold, possess and enjoy to themselves and their successors any estate, real or personal, for the use of said corporation: *Provided*, That the lands, tenements and hereditaments which it shall be lawful for the said corporation to hold, be only such as shall be requisite for its purposes in the transaction of its business, or such as shall have been mortgaged, or conveyed to it in good faith by way of security for loans, or such as shall have been conveyed in satisfaction of debts previously contracted in the course of its business, or such as shall have been purchased at sales upon judgments or decrees obtained for such debts; and all such real estate as shall not be necessary for the purpose of said corporation in the transaction of its business, except lands mortgaged or conveyed as aforesaid, shall be sold and disposed of within five years after the said corporation shall have acquired title to the same.

§ 2. The objects and business of the said corporation shall be to assume and make guarantees of any description, including the principal or interest, or both, of the bonds of railroad or other corporate companies, and securities, obligations and contracts issued by any proper authority or person or corporation; to grant loans and make advances on dividend claims, and on any other securities or valuable property whatever; to undertake the care and custody and management of any kind of property, and accept and execute trusts of every description from any person, corporation or authority whatever, including money and property of every description, and to accept and receive deposits of the same; and any person, corporation and authority is hereby authorized to commit the same to said company, and the said company is hereby authorized and empowered to perform all the business and services of a trust company, and also to perform all the business of a safe deposit company, under such rules and regulations as may be requisite and not in contravention of the laws of the State of Kentucky or of the United States.

§ 3. The said corporation is hereby authorized to undertake and transact the objects and business above mentioned upon such terms and conditions as the board of directors may prescribe, or as may be agreed upon by the parties; and shall also have power to loan any money received on deposit or otherwise; to issue its obligations and certificates of deposits; to establish a bureau of financial adjustment of the affairs of corporations and co-partnerships, and issue such other securities as the board of directors may deem advisable; and the said corporation may charge, collect and receive such fees for their services as may be agreed upon.

§ 4. That the capital stock of said company shall be fifty thousand dollars in cash, divided into shares of one hundred

dollars each, and into such classes as the directors may determine, which stock shall be deemed personal property, and transferable only on the books of the company in conformity with the by-laws; and when twenty thousand dollars shall have been actually subscribed and ten thousand dollars paid in cash, the said company shall be authorized to organize and adopt by-laws, elect officers and commence business; and said company shall have power to increase said capital from time to time, and to such an extent and to such an amount, as the board of directors may deem for the best interests of the company. Whenever, and as often as the capital stock may be, from time to time, increased, a certificate, under the corporate seal of the company, setting forth the amount to which said stock has been increased, shall be filed with the Secretary of State of the State of Kentucky, and such increase shall not go into effect until such certificate shall be filed. Zack Phelps, P. McDonald and John McCann are hereby appointed commissioners to open books of subscription to the capital stock of said company at such time and place as they, or a majority of them, shall deem proper, and for such amount as, in their judgment, the business of the company may require, but for no less amount than twenty thousand dollars, as hereinbefore provided; and the said commissioners shall call such meeting as may be necessary, and supervise the organization of the said company by the persons who shall make subscriptions to the capital stock according to the provisions of this act.

§ 5. That the property and concerns of said company and its corporate powers shall be vested in and managed by not less than six nor more than twenty-one directors, who shall be stockholders, and by such other officers as they may elect or appoint. The board of directors shall divide themselves by lot into three classes, as nearly equal as may be. The term of office of the first class shall expire at the end of two years; that of the second class at the end of four years, and that of the third class at the end of six years; and at the expiration of the second year, and biennially thereafter, there shall be chosen a number of directors in the class whose term will then expire, who shall hold their office for six years, or until their successors are elected; such election to be held at such time and place and in such manner as may be prescribed by the by-laws of said company, and in case it should happen that any election for directors should not be held at the day, when, in pursuance of this act, it ought to be held, the said corporation shall not be dissolved for that cause, but the acting directors shall hold office until their successors shall have been duly elected, and it shall be lawful to hold another election at such time and place as the directors, or a majority of them, may designate. Directors shall be re-eligible, and vacancies occurring in the intervals of elections may be filled by the board. In the biennial election of directors each stockholder shall be entitled to one vote

for every share of stock held by him, and such vote may be given in person or by proxy.

§ 6. That the directors, or a majority of them, for the time being, shall have power to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper for the management, custody and disposition of the assets of the company of whatever nature the same may be, and for the government of said corporation and the transaction of its business, and to fulfill the purposes of this act, and to amend, alter and revoke the same at pleasure, and to elect or appoint such officers, clerks and agents as they may deem necessary, with such compensation as may appear to them proper, and upon such tenure of office as said directors may determine; provided nevertheless, that such by-laws, rules and regulations shall not be repugnant to the Constitution of this State, or of the United States, and said board may hold their meetings at such place as they may designate.

§ 7. In addition to its ordinary shares of capital stock, the directors of the corporation hereby incorporated may issue, from time to time, to an extent not to exceed one-fifth of the number of ordinary shares, certificates to be known as "founders' shares," which shall have no designated value, and form no part of the capital stock of the company, and may be issued from time to time, for such purposes as the board of directors may deem proper, and under such regulations as the by-laws may prescribe; and which "founders' shares" shall be entitled to receive such a portion of the annual profits of the corporation as may be fixed by the by-laws, but shall not be entitled to receive any dividend or any part of the profits of the corporation hereby created until after the ordinary or capital stock of the company shall have earned, and there shall have been declared payable thereon, a dividend of at least six per cent. per annum.

§ 8. The stockholders of the company incorporated under this act, shall be severally and individually liable to the creditors of the company in which they are stockholders, to an amount equal to the amount of stock held by them respectively, for all debts and contracts made by such company to the extent of any unpaid subscriptions made by them respectively, but the private property of stockholders shall not be liable for the corporate debts except as herein provided, and shares of stock of the company when fully paid for shall be unassessable.

§ 9. It shall be lawful for the corporation at any time to change its corporate name and adopt another at its pleasure, but such change of name shall not take effect until a certificate of such change of name, under the corporate seal of the corporation, in writing, of such change is filed with the Secretary of the State of Kentucky.

§ 10. Said company shall have the right to discount notes and bills of exchange, and may make notes and bills of exchange, payable at the office of said company.

§ 11. This act shall take effect immediately.

On motion of Mr. May—

Ordered, That said message and bill be referred to the Committee on the Judiciary.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Citizens' Vault and Trust Company, of Mt. Sterling,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the Senate, entitled

An act to charter the Monticello Banking Company,

Together with an amendment thereto, adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives of the following titles, viz :

An act for the benefit of A. Meahl, of Henderson county ;

An act requiring watchmen to be kept at certain crossings of highways by railroads in Fayette county, and fixing penalties or failure to comply with the provisions of this act ;

An act to fund the present bonded indebtedness of the town of Russellville, Kentucky ;

An act to amend the Blue Run and Anderson's Ferry Turnpike Road Company, in Mason county, approved March 2, 1870 ;

An act to incorporate the Bagdad Printing and Publishing Company ;

An act for the benefit of the Springfield Turnpike Road Company and the Walton's Lick Turnpike Road Company, in Washington county ;

An act to amend an act, entitled "An act to incorporate the Cartwright's Creek, Bear Wallow and Manton Turnpike Road Company, in Washington county, and to authorize the Washington County Court to take stock in same ;

An act to amend the charter of the Perryville and Mitchellsburg Turnpike Road Company ;

An act for the benefit of W. S. Stone, of Daveiss county ;

An act to declare the Right-hand Fork of Greasy creek, in Johnson county, a navigable stream ;

An act to enable the Ohio county Court to appropriate money to build a bridge across Rough river, between Ohio and Grayson counties ;

An act to amend an act to charter the town of Arlington, in Ballard (now Carlisle) county, approved February 5, 1876 ;

An act to amend the charter of Proctor, in Lee county ;

An act to provide for the election of the board of commissioners for Boone county, by district, etc ;

An act to incorporate the Grand Lodge of the Order of Adherents of the High Mogul, and to authorize the said lodge to grant charters to subordinate lodges of said order, and to organize a mutual benefit society ;

An act to repeal an act for the benefit of Hamilton Magisterial District, in Boone county ;

An act to amend the Warsaw and Sparta Turnpike Company ;

An act to incorporate the Liberty and Rolling Fork Turnpike Road Company, in Casey county ;

An act to charter the Liberty and Casey's Creek Turnpike Road Company, in Casey county ;

An act for the benefit of Henry Mallory, William Smith and James Martin, of Henry county ;

An act to fix the time of holding and to regulate the civil jurisdiction of quarterly court of Allen county ;

An act to authorize the successor of G. R. Bruner, deceased, a former justice of the peace of Breckinridge county, to sign all unsigned judgments rendered by said deceased justice ;

An act to prevent bulls and boars from running at large in Breckinridge county ;

An act to amend an act, entitled "An act to amend an act in-

incorporating the Lancaster and Sugar Creek Turnpike Road Company ;

An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount.

An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county, approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds and levy and collect taxes to pay the same, approved April 1, 1882 ;

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Mt. Zion Church and school-house, in Allen county ;

An act to regulate the working and laying out public roads in Clinton county ;

An act to declare Bull creek, in Leslie county, a navigable stream ;

An act to declare Leatherwood creek, in Perry county, a navigable stream ;

An act to amend section 3, article 2, chapter 106, of the General Statutes, so far as the same applies to Henry and Pendleton counties, etc ;

An act to amend an act, entitled "An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884, approved March 26, 1886 ;

An act to amend the acts incorporating the town of Paintsville ;

An act declaring Buffalo creek, in Owsley county, a navigable stream ;

An act declaring the East Fork of Goose creek, in Clay county, a navigable stream ;

An act to create the office of county treasurer of Harrison county ;

An act to provide for the registration of voters in the city of Paducah, and repealing the act approved May 10, 1886 ;

An act for the benefit of the county court of Breckinridge county ;

An act for the benefit of E. C. Flanary, late sheriff Crittenden county ;

An act for the benefit of J. P. Pierce, late sheriff of Crittenden county ;

An act to regulate the jurisdiction of justices of the peace in the city of Louisville ;

An act to incorporate the Newtown and Little Elkhorn Turnpike Company, in Scott county ;

An act to increase the jurisdiction of magistrates in Walton Magisterial District, in Boone county ;

An act to incorporate the Prestonsburg Street Railway Company ;

An act to incorporate the Beaver Lick and South Fork Turnpike Road Company, in Boone county ;

An act to amend an act, entitled "An act to incorporate the town of Pellville, in Hancock county," approved February 25, 1870 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act making it unlawful for stock to run at large on certain turnpikes in Spencer county ;

An act for the benefit of Pee Wee Valley Hotel Company ;

An act to legalize an order of the Larue County Court of Claims regulating the price for wagons, plows, teams, etc., used on public roads in said county ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Georgetown," approved March 6, 1880 ;

An act to incorporate the Greensburg Deposit Bank ;

An act to provide for a registration of voters in the city of Maysville ;

An act to amend the charter and extend the boundary of the town of Bellevue, in Campbell county ;

An act to authorize and empower the Wolfe County Court to levy and collect an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house ;

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county ;"

An act to incorporate the Hopkins County Bank ;

An act to amend the charter of the city of Newport, author-

ing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city ;

An act to make the provisions of an act to incorporate the purchasers of railroads, approved March 1, 1876, and the amendments thereto, apply to the purchasers of turnpike roads ;

An act to authorize the Morgan County Court to appropriate money in the hands of W. A. Maxey, receiver of the Morgan County Court, raised under an act approved April 5, 1880, to the building of a jail for Morgan county ;

An act to amend section 1, article 4 of chapter 5 of the General Statutes ;

An act to amend section 8 of article 2 of chapter 44 of the General Statutes ;

An act to authorize Boyle County Court to levy a tax ;

An act to incorporate the town of Cropper's, in Shelby county ;

An act to amend the charter of the city of Louisville in regard to the salary of the assessor of the city of Louisville ;

An act to amend the charter of the city of Louisville in regard to the salary of the auditor of the city of Louisville ;

An act to amend the charter of the city of Louisville in regard to the salary of the treasurer of the city of Louisville ;

An act to regulate the taking of depositions during any term of the Hardin Circuit Court ;

An act to amend article 1 of chapter 47 of General Statutes, entitled "Gaming ;"

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873 ;

An act to amend an act, entitled "An act to incorporate the Danville Railroad Company," approved April 14, 1888 ;

An act to incorporate the town of Ilsley, in Hopkins county ;

An act to amend chapter 291 of the Session Acts of 1867-8, so far as it applies to Shelby county ;

An act to amend an act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880 ;

An act to amend an act, entitled "An act to incorporate the Hardin County Fair Association ;

An act to prohibit the sale of spirituous, vinous or malt

liquors within two and one-half miles of the Methodist church, house or common school-house in Campton, in Wolfe county ;

An act to incorporate the city of Grand Rivers, of Livingston county ;

An act to amend an act, entitled “ An act to reduce into one the several acts in relation to turnpike roads in Nicholas county, and appertaining thereto, and providing for a turnpike commissioner,” approved February 29, 1880 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to establish and maintain three State Normal Schools in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Peterman—

Ordered, That said bill be printed and recommitted to the Committee on Education.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of and to reduce into one the acts relating to the Masonic Temple Company,

Reported the same, with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Newman moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Logan county," passed March 13, 1886,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to repeal all acts or parts of acts relating to the office of sealer of weights and measures for Jefferson county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Smith moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Smith moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act in relation to and for the conditional repeal of the charter of the Louisville and Salt River Turnpike Road Company, and all amendments thereto, including the one changing the name thereof to the Valley Turnpike and Gravel Road Company, and the amendments thereto, approved March 28, 1872,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid. .

Mr. May moved to reconsider the vote by which the Senate had passed said bill.

Mr. May moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to provide for levying a tax and working the public roads of Carlisle county,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to enable the county court of Mason county to provide for turnpikes in Mason county," approved May 15, 1886,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to incorporate the town of Sturgis, in Union county.

On motion of Mr. Smith—

2. A bill, entitled "An act to amend an act, entitled 'An act to amend the charter of the city of Louisville,'" approved March 31, 1886.

On motion of same—

3. A bill to amend chapter 67 of the General Statutes.

On motion of same—

4. A bill, entitled "An act to amend an act, entitled 'An act to repeal the charter and reincorporate the town of Hodgenville, in Larue county,'" approved March 17, 1870.

On motion of same—

5. A bill, entitled "An act to amend an act, entitled 'An act to prohibit the sale or loaning of spirituous, vinous or malt liquors in the town of Buffalo, in Larue county, or within two miles thereof,'" approved May 10, 1884.

On motion of same—

6. A bill, entitled "An act amending the act incorporating the Union Dime Savings Bank, in the city of Louisville," which act was approved April 5, 1890.

On motion of Mr. Stewart—

7. A bill to incorporate Buckner College of Hindman, Knott county, Kentucky.

On motion of same—

8. A bill to incorporate Hargis College of Mt. Pleasant, Harlan county, Kentucky.

On motion of Mr. Breckinridge—

9. A bill for the benefit of Common School District No. 21, in Boyle county.

On motion of Mr. Newman—

10. A bill to amend the charter of the town of Bellevue, Campbell county.

On motion of Mr. Hannah—

11. A bill for the benefit of White Common School District No. 49, Elliott county.

On motion of Mr. Huff—

12. A bill to amend an act, entitled "An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county."

On motion of Mr. May—

13. A bill to incorporate the Hardin County Savings Bank and Trust Company.

On motion of Mr. Smith—

14. A bill to provide for the calling of a special election to ratify and adopt or reject any constitution that may be framed and agreed upon by the Constitutional Convention.

Ordered, That the Committee on Privileges and Elections prepare and bring in the 1st; the Committee on Executive Affairs the 2d, 3d, 4th, 5th and 6th; the Committee on Education the 7th, 8th, 9th and 11th; the Committee on Immigration and Labor the 10th; the Committee on Internal Improvements the 12th; the Committee on Banks and Insurance the 13th, and the Committee on the Judiciary the 14th.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Smith, from the Committee on Executive Affairs—

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved March 31, 1886.

By same—

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Hodgenville, in Larue county," approved March 17, 1870.

By same.

An act to amend an act, entitled "An act to prohibit the sale or loaning of spirituous, vinous or malt liquors in the town of Buffalo, in Larue county, or within two miles thereof," approved May 10, 1884.

By same—

An act amending the act incorporating the Union Dime Savings Bank, in the city of Louisville, which act was approved April 5, 1890.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Deposit Bank of Russellville, Kentucky,” approved May 13, 1886.

By Mr. McCain, from the Committee on Public Expenditures—

An act to change the time for holding the Trimble Quarterly Court, and to regulate the jurisdiction thereof.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to regulate the sale of spirituous, vinous and malt liquors in Trimble county.

By same—

An act to prevent drunkenness in certain counties in this Commonwealth, and punish those guilty of drunkenness.

By same—

An act to incorporate the Baptist Ministers’ Aid Society of Kentucky.

By Mr. Bradley, from the Committee on Railroads—

An act in relation to the subscription by the county of Bourbon for the capital stock of the Kentucky Midland Railway Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Lulbygrud Turnpike Road, in Montgomery county.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Dan E. O’Sullivan Printing and Publishing Company.

By same—

An act to incorporate the Mt. Sterling Natural Gas and Oil Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Breckinridge, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Stanford, Kentucky.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to re-incorporate and amend the laws of the town of Salyersville, Magoffin county.

By same—

An act to prohibit the sale of spiritucous, vinous or malt liquors, or mixtures of same, or any other intoxicating drink within a radius of two miles of Locust Grove Church, in Clinton county.

By same—

An act to amend an act, entitled “An act to regulate the selling, lending, procuring for, or giving of, spirituous, vinous or malt liquors or any intoxicating drinks in the county of Carter.”

By same—

An act to repeal an act, entitled “An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors, in Hopkins county,” approved April 15, 1884.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Olivet Church, near Garrettsburg, in Christian county.

By same—

An act to repeal an act, entitled “An act to prohibit the sale of intoxicating liquors in Bullitt county,” approved March 21, 1871, and all amendments thereto.

By same—

An act to amend an act, entitled “An act to incorporate American Eagle Lodge, No. 130, I. O. O. F.,” passed January 25, 1864.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within three miles of Hopewell Church, in Allen county, Kentucky.

By same—

An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Newstead Presbyterian Church, in Christian county.

By same—

An act to prevent the sale of spirituous or malt liquors within a radius of one and one-half miles of the Beard Presbyterian Church, in Scott county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all the several acts incorporating West Liberty, in Morgan county," approved February 25, 1884.

By same—

An act to prohibit the sale and manufacture of spirituous, malt or vinous liquors, or any mixture of either, in common school district No. 14, in Barren county.

By same—

An act to incorporate the Lodge of Kentucky Knights of Odd Fellows.

By same—

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of two miles of the Smitsonville school-house, in Harrison county.

By same—

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton county.

By same—

An act to incorporate the Colored Cemetery Company of North Middletown, in Bourbon county.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Macedonia Baptist Church, Grant county.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Deposit Bank of Sadieville.

By same—

An act to incorporate the Merchants' and Traders' Bank of Georgetown.

By same—

An act to incorporate the Mt. Sterling Safety Vault and Trust Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Paris Electric Light Company, in Bourbon county," approved May 9, 1884.

By same—

An act to prevent stock from running at large on that portion of the Mt. Sterling and Winchester Turnpike Road lying in Montgomery county.

By same—

An act to amend an act, entitled "An act to incorporate the Paris Water Company," approved February 24, 1888.

By same—

An act to incorporate the Reynolds Coal, Coke and Mining Company.

By same—

An act to amend an act to incorporate the town of Bardwell, in Ballard, now Carlisle county.

By same—

An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company."

By same—

An act to amend the charter of the city of Vanceburg, in Lewis county.

By same—

An act to amend an act to create the office of treasurer in Ballard county, and to regulate the fiscal affairs of said county, approved February 6, 1888.

By same—

An act amending an act concerning the subscription to turnpikes in Harrison county, and compelling all turnpikes to be out of debt when the county subscription is paid hereafter.

By same—

An act to authorize the Bourbon County Court to appropriate money for the construction of an iron bridge over Huston creek on Walnut street in the city of Paris.

By same—

An act to enable the board of councilmen of the city of Augusta, in Bracken county, to issue the bonds of said city in aid of the establishment of manufactures in said city.

By same—

An act to incorporate the Cooper Mining and Manufacturing Company.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the Merchants' Bank of Paintsville.

By same—

An act to incorporate the Deposit Bank of Middlesborough.

By same—

An act to incorporate the Henderson Savings Bank of Henderson.

By same—

An act to incorporate the Bank of Livermore.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Rowland, in Lincoln county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous, malt or intoxicating liquors, or the mixture of either, in the county of Morgan, and to prescribe a penalty therefor.

By Mr. Kemp, from the Committee on Railroads—

An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents, in the counties of Ballard, Carlisle, Hickman and Fulton.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to incorporate the St. Helen's Security Bank, of St. Helens,

With amendments to the four last-named bills,
Which were adopted.

Ordered, That said bills, the four last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Newman, the Senate then adjourned.

TUESDAY, APRIL 8, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to increase the jurisdiction of justices of the peace in McCracken county.

An act to authorize the procuring of copies of the muster rolls of the several military organizations from Kentucky in the Confederate army, and for their preservation when obtained.

An act to amend the charter of the town of Petersburg, in Boone county, extend the boundary limits of said town and grant additional powers.

An act to repeal the charter of the town of Greenup, in Greenup county, and the acts amendatory thereto, and to reincorporate said town.

An act to amend an act incorporating the town of Sulphur, in Henry county.

An act to amend and reduce into one the act incorporating the Marion and New Liberty Turnpike Road Company, in Owen county.

An act to establish a road district in Boone county.

An act to authorize the county court of Casey county, Kentucky, to take stock in turnpike roads, and for other purposes.

An act to incorporate the Burlington and Normansville Turnpike Road Company.

An act to incorporate the Burlington and Union Turnpike Road Company.

An act to amend the charter of the town of Crab Orchard, Lincoln county, Kentucky.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to prevent the keeping of bawdy-houses in this Commonwealth.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway."

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870.

An act to incorporate the Kentucky Fire Insurance Company, With an amendment to the last-named bill.

Ordered, That said last-named bill and the amendment adopted thereto by the House of Representatives, be referred to the Committee on Banks and Insurance.

That they had passed bills of the following titles, viz :

1. An act to procure the turnpikes of Harrison county and make them free to the public.

2. An act for the benefit of J. L. Hemphill, Sheriff of Knox county, Kentucky.

3. An act to amend an act, entitled "An act to incorporate the Louisville Fire and Life Protective Association of Louisville, Kentucky," approved March 24, 1888.

4. An act to amend article 13, section 7, chapter 28, General Statutes.

5. An act to incorporate the Madison Fire Insurance Company of Richmond, Kentucky.

6. An act to amend an act, entitled "An act, entitled 'An act to incorporate the Union Insurance Company, of Louisville.'"

7. An act to amend an act to establish a board of commissioners for Greenup county, and to define their duties and the duties of other officers whose duties are connected with those of said commissioners.

8. An act to amend an act, entitled "An act of incorporation of the German National Insurance Company of Louisville.

9. An act to incorporate Three Forks City in Lee county.

10. An act to incorporate the Turner's Station and Providence Turnpike Road, in Henry county.

11. An act to protect passengers and steamboatmen on the Big Sandy river.

12. An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county," approved March 15, 1890.

13. An act to incorporate the North Side Land Company.

14. An act to incorporate the Big Sandy Telegraph Company.

15. An act to incorporate the town of Pleasant Valley, in Carter county.

16. An act to incorporate the Paducah, Smithland and Southern Railroad Company.

17. An act for the benefit of John W. Caseldine, late sheriff of Henry county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 13th to the Committee on Agriculture and Manufactures; the 2d, 9th and 15th to the Committee on the Judiciary; the 3d, 5th, 6th and 8th to the Committee on Banks and Insurance; the 4th to the Committee on General Statutes; the 7th to the Committee on Courts of Justice; the 10th to the Committee on Public Expenditures; the 11th and 12th to the Committee on Propositions and Griev-

ances; the 14th to the Committee on Railroads, and the two last-named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Reynolds, leave of absence indefinitely was granted to Mr. Pieratt.

Mr. Poyntz asked the appointment of a committee on the part of the Senate to ask the withdrawal from the House of Representatives the announcement of the passage by the Senate, of a bill which originated in the House of Representatives, entitled

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county,

Which was granted.

Whereupon the Speaker appointed Mr. Poyntz such committee.

After a short time, Mr. Poyntz, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Poyntz moved to reconsider the vote by which the Senate had passed said bill,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Poyntz moved an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE OFFICE,
FRANKFORT, April 8, 1890. }

Gentlemen of the Senate:

I hereby nominate, and by and with the advice and consent of the Senate will appoint R. J. Brown, S. L. Garr and A. G. Herr, all of Jefferson county, Commissioners of the Central Lunatic Asylum, to fill vacancies occasioned by the expiration of their own terms of office.

Respectfully,
S. B. BUCKNER.

Ordered, That said communication be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April -, 1890. }

Gentlemen of the Senate:

I respectfully return, without my approval, bills entitled respectively :

1. An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city ;" and

2. "An act to amend the charter of the city of Newport, exempting certain personal property from taxation."

These bills should be considered together, because one provides for an expensive system of street improvements, involving increased taxation on the people ; and the other provides simultaneously for extensive exemptions from municipal taxation with the necessary result of proportionally increasing the taxation on the remaining portion of the population.

The first-named of these bills authorizes, in the first section, paving of the most expensive character, at a cost to the lot-owners, as authorized by the fifteenth section, of not exceeding 50 per cent. of the value of the lot after the improvement is made. As a vote of two-thirds of the council can order the

improvements without reference to the wishes of the lot-owners, the result might be a virtual confiscation of the interests of small proprietors.

The fifteenth section authorizes the council to exclude "certain classes of wheeled vehicles" from passing along and over any of the streets thus improved. This again might prove a great hardship to the laboring man whose home has been mortgaged to construct a street over which he is forbidden to drive the vehicles, the use of which, in his business, may be necessary to maintain his family.

The streets thus improved are to be paid for by the proceeds of two classes of 5 per cent. bonds, aggregating not more than \$250,000. One-half of these bonds are to be accrued by liens upon the lots fronting on the improvements, the last payment to be made in ten years, the whole amount to be paid by the lot-owners. The other half are bonds of the city of Newport payable in thirty years by general taxation.

The improvements are to be paid for in cash, with the privilege of paying in bonds at par.

The eleventh section authorizes, but does not require, the council to direct the city treasurer to advertise for bidders for the purchase of bonds; while the ninth section authorizes the treasurer to sell them at his option, unless otherwise directed by the council. The fifth section requires that the first half of the bonds shall not be sold for less than par. It was doubtless designed to place a similar restriction on the sale of the other half, but the language of the ninth section does not necessarily do so. It authorizes him "to sell the said bonds at not less than par, or the most that can be realized therefor." If in his judgment he can not sell them at par, he may feel authorized to sell them for any amount less than par which he may think is "the most that can be realized therefor." This would be a dangerous discretion to be reposed in either an injudicious or an unfaithful official who might not be considerate of his trust. The ambiguity ought to be removed in the interests of the taxpayers who might be called on to pay largely for his bad judgment.

The second named bill provides in the first section: "That all moneys, notes, mortgages, bonds, building association shares,

stocks and choses in action of every kind and character, all tools and machinery used in manufacturing establishments, and, also, raw material used in such establishments and manufactured stock thereof shall be exempt from all taxation or assessments of any kind or character for municipal purposes by the city of Newport."

This means that the wealthy manufacturer, the heartless money-lender, the men who hold mortgages on the humble homes of the workingmen, the retired millionaire whose heaviest toil consists in clipping the coupons from his untaxed bonds, are to be exempted from their just share of taxation to support the government which protects them, while the large sums withheld are to be imposed as an additional burden on the merchant, the artisan, the laborer, and every other portion of the community.

When the two bills are considered together, it means that the wealthier classes of the community, whose ample means may have contributed nothing towards its construction, may drive in luxurious ease over the fashionable boulevard, while the toiling laborer whose humble house has been mortgaged to aid in the construction of this pleasure drive, is not permitted even to cross it with the heavy vehicle which must be used as a means of support for his family.

The Senate, it may be assured, will not permit the perpetration of such a wrong.

Respectfully,

S. B. BUCKNER.

The first-named bill mentioned in and vetoed by said message reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. The board of councilmen of the city of Newport is hereby vested with power to reconstruct any street, alley, lane, road, avenue or thoroughfare in said city by grading, curbing and paving with granite or wooden blocks, asphalt, brick, gravel, macadam, or any other proper and appropriate material; the same to be done upon a petition of the owners of a majority of front feet abutting on a street or part of street to be improved, or the same may be done without such petition if two-thirds of the members-elect of the board of councilmen concur therein on a call of the yeas and nays, which shall be recorded in the journal.

§ 2. The present grade of the street shall first be adopted, or the said board may, in its discretion, establish a different grade, and an estimate of the work required to be done thereon shall first be ascertained before the ordinance thereof shall be passed, and the expense therefor, including the intersection and crossings adjoining, shall be added thereto and distributed pro rata thereon per front foot, and be fixed before any contract shall be entered into by said city for said improvement. Said grade, estimate and expenses shall be embraced in and form part of said contract. The work done and material furnished for such improvement shall be under the supervision and inspection of the mayor of the city, city engineer and the chairman of the street committee of said board of councilmen, whose duty it shall be to see that all work is done and material furnished in accordance with the contract.

§ 3. Said board of councilmen shall advertise for bids in such manner as it may designate for such improvement according to plans and specifications on file in the engineer's office of said city. Each bid shall contain the full name of every person interested in the same, and shall be accompanied by a sufficient guaranty of two disinterested and responsible persons that if a bid is accepted a contract will be entered into and the performance of it properly secured. The bids shall be upon blanks to be furnished by the said city, and shall refer to the specifications and the form of contract to be entered into if the bid is accepted. At the next regular meeting after the advertisements have been made, as may have been ordered, said board may receive bids for same and award the contract to the lowest and best bidder, reserving the right to reject any and all bids.

§ 4. Upon the awarding of said contract the said board of councilmen shall enter into a contract, in writing, in the name of the city of Newport, with the contractor, with two disinterested, good and responsible securities, for the performance of the said work according to its terms, plans and specifications. A lien is hereby granted to said city on all the property fronting and abutting on any such street or part of street so proposed to be improved for the payment of one-half of said work and material from the time said contract is awarded, which may be enforced in any court of proper jurisdiction. The other one-half shall be paid to the contractor by the city of Newport as hereinafter provided. The amount due a contractor for any such improvement shall be due and payable in sixty days after the work has been completed and accepted by said city.

§ 5. Said board of councilmen shall, when said contract has been completed and accepted by the city, cause the bonds of the city to be issued as hereinafter provided in an amount equal to one-half of the cost of said improvement, in denominations of one hundred dollars and five hundred dollars each, payable at the city treasurer's office of the city of Newport. They shall

be dated sixty days after the completion and acceptance of the work by the said city for which the bond is issued, and shall draw interest at a rate not exceeding five per cent. per annum, payable semi-annually. They shall be issued in book form, with stub attached; and when the bond is disposed of by the city the stub shall show the number and amount and date of the bond, the rate of interest and when due, and the name of the street or squares of street improved. One-tenth of the said bonds shall be due in one year from date; one-tenth in two years from date, and one-tenth in three years from date, etc., etc., etc.; the last one-tenth of such issue to fall due ten years after date; the said division of bonds to be as nearly equal as possible. They shall recite this act by its title and date of approval, and show that a lien is reserved in the property to be improved, reciting the street or squares of street. They shall be called "Street Improvement Bonds of the City of Newport." The entire series of said bonds issued under this act shall be numbered, beginning with number one. They shall have interest coupons attached for each installment of interest, and the coupons shall be numbered, beginning with number one. Each of said bonds shall be signed by the mayor of said city and countersigned by the city clerk, and shall have the seal of the city affixed thereto, and shall be indorsed on the back thereof as hereinafter provided. The said coupons may be signed by the city clerk alone. Said bonds and coupons shall be payable as hereinafter provided, and shall pass by delivery. The said bonds, on the completion and acceptance of any work done under the provisions of this act, may be disposed of as hereinafter provided by the said city at not less than par.

§ 6. On the completion of any contract or improvement made under the provisions of this act, the mayor, city engineer and chairman of the committee on street improvements shall make a written report to the said board of councilmen at its next regular meeting thereafter, that said improvement is completed and accepted, and said report of completion and acceptance shall be concurred in by two-thirds of the members elect of the said board, on a call of the yeas and nays, and their votes recorded in the journal.

§ 7. The sum of one-half of the entire cost of such improvement being the amount assessed upon the lots or parcels of land abutting upon the improvement, shall be divided by the total number of feet of the lots or parcels of land fronting or abutting on such improvement, and the quotient shall be the rate of assessment for each front foot of land abutting on such improvement. There shall be specially assessed on each lot or parcel of land abutting on such improvement such amount of tax or assessment as shall equal the number of feet of such lot or parcel of land fronting on such improvement, multiplied by the rate per foot, as ascertained as aforesaid. The city clerk shall annually make out the tax bills of the owners of real estate,

fronting and abutting on such improved street, or part of street, in such manner as to pay for the entire lien as the bonds mature against such real estate for such improvement, in ten years, attaching the same to the amount due from the tax-payer for city purposes, including the interest on the sum unpaid each year, and such tax-bills shall be a lien on such realty for the amount specified in the estimate: *Provided*, That any owner of real estate fronting or abutting on any such improved street may pay the entire amount assessed against any such real estate within sixty days after the completion and acceptance of said work, as above provided.

§ 8. The taxes received by the city, hereinbefore provided for, shall be kept by the city treasurer, separate and apart for the purpose of paying said bonds, and shall, in no event, be used for any other purpose, and the fund shall be known as "street improvement bond fund."

§ 9. The other one-half for said improvement shall be paid by the city of Newport in cash. In order to raise money to pay the same, the said city is authorized to issue its bonds. The bonds shall be made payable in not more than thirty years from date, and shall be payable at the treasurer's office in the city of Newport, in denominations of \$100 and \$500, and bear interest at a rate not exceeding five per cent. per annum, payable semi-annually, and they shall be called "Newport street bonds." These bonds, including the "street improvement bonds of the city of Newport," provided for in section five, shall be payable to the president of the board of trustees of the sinking fund, as trustee or bearer. The bonds, including both classes provided for in this act, shall first be prepared in blank by the city clerk, and by him delivered to the said president of the board of trustees of the sinking fund and his receipt taken therefor. On the order of the board of councilmen of said city, entered on its minutes from time to time, as said bonds shall be required for disposal, said president or said board of trustees of the sinking fund shall cause the mayor to sign the same, and the city clerk to countersign them and affix the seal of the city thereto. The said president of said board shall then certify on the back of each of said bonds the name and style of the bond, the purposes for which it was issued, the volume and chapter of the acts and session of the Legislature at which the act was passed by the Legislature, authorizing its issue and the date of the approval of the act, signed with the name of the said president of the said board of trustees of the sinking fund of Newport as such. No bond issued under the provisions of this act shall be binding, or obligatory or of any value whatever, unless it be so indorsed as above provided. The said bonds shall be issued in book form with stub attached, and when a bond is detached from the stub the stub shall show the number of the bond, name of the street or part of street to be improved, the amount of the bond, the date of the issue, and the rate of interest and when

due. They shall recite this act by its title and date of approval. All the bonds of the said city, provided for in this section, shall be numbered, beginning with number one. Each of said bonds shall have interest coupons attached for each installment of interest, which coupons may be signed by the city clerk alone, and shall be numbered, beginning with No. 1. The said bonds shall be dated sixty days after the completion and acceptance of the street for the improvement of which the bond is issued. When the said bonds are required for disposal, and they have been signed as required, and the seal of the city attached thereto and endorsed by the president of the board of trustees of the sinking fund, as hereinbefore provided, the said president of said board shall then deliver the said bonds to the city treasurer, take his receipt therefor, containing sufficient general description of the bond receipted for to identify them. The treasurer shall then sell the said bonds at not less than par, or the most that can be realized therefor, and apply the proceeds to the purposes for which the bonds were issued. The signing of the said bonds by the mayor of the city and the city clerk, and the indorsement of the same by the president of the board of trustees of the sinking fund, and the delivery by the said president of the said bonds to the city treasurer, shall be done by the said officers, all in the presence of each other.

§ 10. For any failure to faithfully discharge the duties imposed on him under the provisions of this act, the treasurer of said city and his securities on his official bond shall be responsible.

§ 11. The board of councilmen shall have the right, at any time in its discretion, by resolution, to direct the city treasurer to advertise for bidders for the purchase of said bonds and the manner in which the said advertisement shall be made.

§ 12. The said board of councilmen hereby authorized annually, by ordinance, to levy and collect a tax off of all the taxable property in said city in addition to the taxes that it is now authorized to levy and collect by law, sufficient to pay the interest on all the said "Newport street bonds" that may have been issued, and to provide a sinking fund for the final redemption of said bonds.

§ 13. Said board of councilmen shall have the right, at any time in its discretion, to employ an expert engineer and assistants for the city engineer in and about the improvements of the streets under the provision of this act, and pay a reasonable compensation for said services.

§ 14. There shall be issued under the provisions of this act, including both classes of bonds herein provided for, an amount not exceeding \$250,000.

§ 15. The board of councilmen of said city shall have the power and be fully authorized to pass an ordinance with appropriate penalties for its violations from \$5 to \$50, forbidding certain classes of wheeled vehicles from passing along and over

any streets in the ordinance mentioned that may have been improved under the provisions of this act.

§ 16. In improving any street under the provisions of this act, if there be a street railroad thereon, and it becomes necessary in making the said improvement to remove the track thereof, the city shall have the right to give the company operating the said railroad fifteen days' notice, in writing, to remove its track, and if the said company fail to remove the said track within the said fifteen days, then the contractor for the improvement shall have the right to remove the same at once. When the said railroad track is relaid, it must be laid so as to conform to the grade of the street as improved, and be done under the direction of and subject to the approval of the board under whose directions this act requires the street improvement to be made. Said board shall approve the manner and form of construction of the said track, and all the material, rails, ties, fastenings, etc., that may be used in the construction thereof. Nothing herein shall be construed as modifying or releasing any company so operating a street railroad in said city, from the full performance of all contracts and covenants that it may have heretofore made with the said city, and under which it may exercise its franchise.

§ 17. In case of the default in payment by any abutting owner of the assessment against his property, as provided in section 7 of this act, the same penalty shall attach on the amount so payable as attaches to the non-payment of other municipal taxes of said city, and shall be collected together with amounts so due from the owner of such property in the same manner as other taxes and penalties of said city are now collected by law.

§ 18. The bonds issued under the provisions of this act shall be and forever remain exempt from all taxation or assessment of any kind or character for municipal purposes by said city.

§ 19. When a special assessment for such improvement is made on real estate, subject to the life estate, the assessment shall be payable by the tenant for life. But upon application by the tenant for life, to a court of competent jurisdiction by action against the owner of the estate in fee, the court may apportion the costs of the assessment between the life tenant and the owner of the fee in proportion to the relative value of the improvement to their estate respectively, to be ascertained and determined by the court on principles of equity.

§ 20. When it appears to the board of councilmen that a special assessment or tax for such improvement is invalid by reason of some informality or irregularity in the proceedings, or when an assessment is judged illegal by a court of competent jurisdiction, the said board may order a reassessment, and proceedings thereon and the collection thereof shall be conducted in the same manner as is provided for in the original assessment.

§ 21. The tax or assessment for such improvement, charge-

able to the property as herein authorized, shall not exceed fifty per cent. of the value of the lot assessed as now provided by law, and any excess above such per centum shall be paid out of the general fund by said city. But in making such assessment and valuation regard shall be had to the value of said property after the improvement is made.

§ 22. Before improving any street under the provisions of this act, the said board of councilmen shall have all necessary sewers laid and water and gas pipes laid, and connections laid from the main line in said street to the curbstone.

§ 23. Said city shall have the right, in its discretion, to pay and contractors for any improvement made under the provisions of this act, either in cash or with the bonds of the said city, at not less than par, issued as herein provided.

§ 24. The treasurer of said city shall provide a book, suitable for the purpose, in which he shall keep a correct and accurate register of all bonds issued under the provisions of this act, each class separately, which register shall show the number and amount of each bond, date of its issue, when due, rate of interest and street for which it was issued.

§ 25. The president of the board of trustees of the sinking fund shall receive for his services an annual salary of \$250, to be paid by the said city as the board of councilmen may determine, and said salary shall continue for three years from the approval of this act.

§ 26. All laws and parts of laws having special application to the city of Newport, in so far as the same are in conflict with this act, are hereby repealed.

§ 27. This act shall not take effect until submitted to, and ratified by, a majority of voters voting at an election held in said city for the purpose of taking the sense of the people as to whether they are in favor of or against this bill.

The second named bill mentioned in and vetoed by said message reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That all moneys, notes, mortgages, bonds, building association shares, stocks and choses in action of every kind and character, all tools and machinery used in manufacturing establishments, and also raw material used in such establishments, and manufactured stock thereof shall be exempt from all taxation or assessments of any kind or character, for municipal purposes by the city of Newport.

§ 2. All laws and parts of laws having special application to the city of Newport, in so far as the same are in conflict with this act are hereby repealed.

§ 3. This act shall take effect from and after its passage.

On motion of Mr. Newman—

Ordered, That said bills and veto message be referred to the Committee on the Judiciary.

The special committee appointed to investigate lotteries in this Commonwealth, submitted the following report, viz:

FRANKFORT, KY, April 2, 1890.

Hon. JAMES W. BRYAN, Speaker of the Senate, and Hon.

HARVEY MYERS, Speaker of the House of Representatives:

GENTLEMEN: Under a joint resolution of the present General Assembly, approved January 28, 1890, the undersigned were appointed a committee to investigate the lotteries conducted and operated in this State, and were directed to inquire: (1) When these franchises were granted; (2) to whom granted; (3) for what purpose; (4) whether or not they are still conducted for the benefit of the original grantees, and (5) to inquire into any other matter connected with said lotteries that will give information to the General Assembly in relation thereto.

In the first place your committee begs leave to state that it has made an earnest effort to accomplish the purposes of the resolution, but that it has met with much difficulty from the beginning in obtaining the information asked for. Having no authority to punish witness for contempt in refusing to appear or testify, the committee has been unable to obtain the testimony of those witnesses who know most about the lotteries. A certain commissioner who claims to operate a legal lottery, and whose duty it is to see that the drawing is done *fairly*, assumed a defiant attitude before the committee, and, under the advice of the counsel in the employ of the lottery people, refuse to testify. The committee at once prepared a bill which had for its object the punishment of witnesses for their failure or refusal to appear or testify before it. The passage of the bill met with unexpected delay, but was finally passed, approved by the Governor and became a law. The committee, through its chairman, on March 26, 1890, issued its subpœna for the appearance of J. J. Douglas, Owen Stewart, George Salomon, George Fergerson, John Mauser, Louis Cameron, George Goeber, Charles Corri and T. S. Evans before said committee at the parlors of the Alexander Hotel, in the city of Louisville, on Friday evening, March 28, 1890, at 8 o'clock, to testify concerning the Frankfort lottery and other lotteries. The said subpœna was placed in the hands of G. W. Castle, Sergeant-at-Arms of the Senate, and was promptly executed by him on

the 27th day of March, 1890, by delivering to each of said witnesses a copy of said subpœna. The full committee met at the time and place designated, but none of said witnesses appeared. Their violation of the law has been referred to the proper officers, and it is hoped that they may be adequately punished. The committee deems it indiscreet and unwise to delay their report for further proof, therefore submit the following in response to the joint resolution :

1. The first is known as the Masonic grant. This lottery franchise was granted by the Kentucky Legislature under an act, entitled "An act for the benefit of the Grand Lodge of Kentucky," approved January 27, 1815. By it certain persons were authorized to raise, by way of lottery, in one or more classes, thirty thousand dollars, for the purpose of erecting a grand Masonic hall in the city of Lexington, for the benefit of the Grand Lodge of Kentucky. They were authorized to retain only twenty per cent. of the proceeds of the sale of tickets. They had the right to sell the franchise, but not for less than ten per cent. of the amount to be drawn. This grant is not now operated, but is claimed to be a valid grant and in full force. The Grand Lodge derives no benefit from it. No tax is paid the State under the Hewitt revenue law. The franchise is now claimed to be owned by S. T. Dickinson, of New York.

2. The second is known as the Shelby College grant. This franchise was given by an act, entitled "An act for the benefit of Shelby College," approved February 16, 1837. By this grant certain persons were authorized to raise one hundred thousand dollars for the use and benefit of said college. They were allowed to retain only twenty per cent. of the proceeds of the sale of tickets; they were authorized to sell the franchise, but not for less than ten per cent. on amount to be drawn. The grant was sold to one Gregory by the trustees of said college for \$1,000 per year so long as he operated it. He had the privilege of abandoning the contract at any time by giving six months' notice of such intention. This contract was held invalid by the Court of Appeals, in the case of Gregory's Executrix vs. Trustees of Shelby College, 2 Met., 589, because Gregory was not required to pay ten per cent. on the amount proposed to be drawn by him, as directed by the grant, but instead thereof he was required to pay \$1,000 per year so long as he thought proper to make use of the privilege. Afterwards, one Waller, who had advanced large sums of

money for the use of said college, and to whom the trustees of said college had mortgaged their rights under the lottery franchise for indemnity, was adjudged to have a vested right in the franchise to the extent of raising the amount so advanced. This franchise is not known to be operated. It pays no tax under the Hewitt revenue law.

3. The third is the Kentucky State Lottery. On the first day of February, 1838, the Legislature, by an act, entitled "An act for the benefit of the city school in the town of Frankfort, and for other purposes," vested in a board of managers the right to raise, by way of lottery, one hundred thousand dollars, in one or more classes, as to them might seem proper. One-half was to be appropriated to the use and benefit of the city school and the other half for the construction of water-works. They were authorized to employ clerks and other officers, and were not allowed to retain out of the proceeds of the sale of the tickets more than twenty per cent. They were also authorized to sell and dispose of the scheme to any person or persons who should enter into bond to the Commonwealth of Kentucky, with good security, with condition well and faithfully to comply with all the terms and provisions of said act. In 1841 said managers sold to one Gregory a scheme and certain classes devised by them, and in 1861 they sold another scheme and the classes thereof to Wood, Eddy & Murray, and finally Simmons & Dickinson became the owners of all the undrawn classes of the schemes sold by said managers to said parties. It is not known to the committee whether or not this lottery is being conducted or operated. It is presumed that it is not; yet, in the city of Covington, as shown from the advertisement in the Covington Commonwealth, two lotteries are being conducted—one under the name of the Kentucky State Lottery and the other under the name of the Frankfort Lottery of Kentucky. The 1838 grant was known as the Kentucky State Lottery; but no tax is paid on said lottery privilege, as required by the Hewitt revenue law. This lottery grant was presumed to be exhausted by Chief Justice Lindsay in the case of the Commonwealth v. City of Frankfort, etc., 13 Bush, page 185. The proof before the committee shows that more than one hundred thousand dollars has been realized by said managers out of said lottery franchise.

4. The fourth is the Kentucky State Lottery for the benefit of the University of Paducah. The acts relied on as establishing a lottery

privilege are those of February 8, 1839, March 11, 1851, January 25, 1858, February 9, 1866, and February 7, 1867. The first act authorized certain persons to raise, by way of lottery, one hundred thousand dollars, to be appropriated to the Paducah wharf, Paducah Female Seminary and Paducah Male Seminary. The second establishes the University of Paducah. The third act recites doubt as to whether the Revised Statutes had not repealed the first act, and revives and re-enacts and continues said first act. The fourth act ignores the university and gives the franchise to the seminaries, and the last of said acts gives the franchise back to the university. This grant is presumed to be exhausted. (See *Commonwealth v. Bull*, 13 Bush, 656.) It pays no tax to the State under the Hewitt revenue law. This grant was once owned by Simmons & Dickinson, but in a statement made by them a few years ago to the chairman of the House Committee on Post-offices and Post-roads in the Congress of the United States, they admit that said grant had been exhausted, and that it had no legal existence.

5. The fifth is known as the Henry Academy and Henry Female College franchise. It was granted by the Kentucky Legislature on December 9, 1850, under an act, entitled "An act for the benefit of Henry Academy and Henry Female College." The managers, J. N. Webb, Thomas B. Posey, Joseph Drane, William Pryor, and C. N. Mathews, were authorized to devise a scheme and raise, by way of lottery, in one or more classes, as to them might seem expedient, any sum not exceeding fifty thousand dollars, to be appropriated for the use and benefit equally of the Henry Academy and Henry Female College. They were authorized to employ such officers as were necessary to conduct said lottery, and were not allowed to retain out of the proceeds of the sale of tickets more than twenty per cent. Before they entered upon the discharge of their duties they were required to execute bond, with good security, in the sum of one hundred thousand dollars for the faithful discharge of their duties under said act. They were authorized to sell said franchise to any person or persons who would enter into a like bond to the Commonwealth of Kentucky to faithfully comply with all the terms and conditions of this act. On December 19, 1850, said managers sold said franchise to one Walter Gregory for the sum of fifty thousand dollars, payable in installments of five hundred dollars each every six months.

Said Gregory executed said bond and paid to said managers on said contract, prior to September, 1874, twenty-three thousand five hundred dollars. It was stipulated in the contract that said Gregory had the right to abandon it by giving six months' notice to the managers, and in case the lottery could not be conducted by reason of any legislative, judicial or other interferences, then payments were only to be made up to the time of such interference. It is believed that Gregory abandoned his contract; yet it is claimed that he assigned his rights thereunder to Wood, Eddy & Co. On June 15, 1874, Z. E. Simmons, with Benj. Wood, of said firm, and S. T. Dickinson as his sureties, executed the bond required by the act, and similar in all respects to that executed by Gregory. The said managers seemed to have assumed that said Simmons was the owner of the franchise by purchase from Gregory, for they acknowledged receipt of said \$23,500 paid by Gregory, and entered into contract with said Simmons, by which he was to pay them the remaining \$26,500, in installments of \$750 each, payable every six months, beginning December 19, 1874. But it was stipulated in the contract that if said Simmons was divested, by legislative or judicial authority, from exercising his rights under the contract, then the payments were to cease. This lottery is not conducted in this State. It is claimed to be in full force and to be owned by S. T. Dickinson, of New York. Since the Hewitt revenue law took effect the revenue tax has been regularly paid thereon.

6. The sixth is known as the Frankfort Lottery of Kentucky. This franchise was granted by section 18 of an act of the Legislature, approved March 16, 1869, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort." This act conferred on the board of councilmen of the city of Frankfort the same franchises, power and authority as were conferred on the managers in an act, entitled "An act for the benefit of the city school of the town of Frankfort, and for other purposes," approved February 1, 1838, and the interests and profits of the investments were to be used for the support of the city school. This act was evidently passed by the General Assembly without any knowledge that the eighteenth section contained a lottery privilege. The city council had but little use for it, unless it could sell the grant; so in 1872 the city council, through one Alfred Hensley, who was a news-

paper reporter, and to whom a certain remuneration was pledged, obtained the passage of an act, approved March 28, 1872, entitled "An act amendatory of the laws in relation to the city of Frankfort," by which the board of councilmen were authorized to sell said franchise. By authority of said act of March 16, 1869, the city council devised a scheme and sold it to one E. S. Stewart, for one hundred thousand dollars, and said Stewart executed bond in the county court of Franklin county on December 31, 1875, for the faithful performance of the terms and conditions of the grant, with W. H. Way, R. W. Meredith, W. de B. Morrill and W. Scott Glore as his sureties. By this grant one hundred thousand dollars were authorized to be raised by way of lottery. Under said Stewart contract, he bound himself to pay \$97,500 in installments between December 31, 1875, and October 1, 1887, and to pay \$1,250 on April 1, 1926, and \$1,250 on December 31, 1926. The said Stewart failed to make certain payments on said contract. The said city council having received from said Stewart \$3,500, sold the franchise to Murray & Miller for \$96,500, payable in installments from July 26, 1877, until April 15, 1897. The proof shows that under the grant of March 16, 1869, the city council has received from E. S. Stewart \$93,750, and from Murray & Miller, \$21,375, making a total of \$115,125. In a suit between Stewart and Murray & Miller involving the validity of these contracts, the Court of Appeals decided that the contract of E. S. Stewart was valid. The lottery is now run in the name of E. S. Stewart, but Stewart has been dead more than seven years. The present claimants of the franchise are C. F. Tatem, of St. Louis, Mo., W. C. France, of Lexington, Ky., Thomas Hines, of Jersey City, N. J., and S. T. Dickinson, of New York. It was stipulated in the contract between the city council of Frankfort and E. S. Stewart, that in the event said Stewart was prevented or hindered from drawing said lottery by judicial or legislative proceedings, then payments under said contracts should cease. The parties conducting this grant have paid the revenue tax annually since the Hewitt revenue law took effect. This is the most extensively conducted of the Kentucky grants. It has ticket offices in Covington, Paducah, Owensboro and other places; and in the city of Louisville, where the drawings occur, there are forty-two ticket offices.

7. The seventh is the Newport Printing and Newspaper Company

grant. This privilege was granted by virtue of an act, entitled "An act to incorporate the Newport Printing and Publishing Company," approved April 9, 1878. By it J. J. Hetsch, George M. Dittoe and John C. Schrader was empowered to carry on the business of publishing one or more papers, and of printing and publishing generally. To enable said company to facilitate the circulation of its papers, and to compete with other papers, it was empowered to allot to subscribers such premiums as it may see fit, and in such manner as it may deem most advantageous. A lottery, under the name of "Policy," is operated under this act in the city of Newport. There are four or five places in said city where tickets from five cents and over are sold, and daily drawings are claimed to be held. A prominent citizen, Judge F. A. Boyd, writes to the committee, and uses the following words: "I am pleased to know that this repeal includes the lottery privileges granted to what is known as the Newport Printing Company. This privilege has been used, as I am informed, as a covering for that most contemptible system of gambling known as 'policy.' From what I see of it daily, I regard the 'three-card monte' as an honest game in comparison to it. The poor and the ignorant of our city, white and black, are induced to play at this game, and will deprive themselves of the necessities of life to do so. It is a regular school of vice, in which to educate the children in gambling. These gambling dens of 'policy' are daily manufacturing paupers for the city to support." No tax is paid the State on this grant. It is said to be run by a party in Cincinnati, who pays said company a handsome sum per month for the privilege.

The foregoing seven grants are all that the committee has found. There may possibly be others, but it is not probable that they have any legal existence now. The committee is of the opinion (1.) That the General Assembly has the right to repeal these franchises, for the reason that they are proven to be immoral in their tendencies and a vicious system of gambling. No vested rights have been acquired under them, nor have any liabilities been incurred thereunder by any purchaser of any of these grants. The grant of a privilege to raise money by a lottery is a mere gratuity. It confers no chartered rights, nor does it amount to a contract. The contracts under which E. S. Stewart obtained the Frankfort grant of 1869, and Z. E. Simmons obtained the Henry Academy and College

grant, expressly provide that in the event the vendees are prevented from operating the franchise by legislative or judicial proceedings, the payments are to cease and the contract to become void. (2.) The committee thinks that neither the city council of Frankfort nor the managers under the Henry Academy and College grant had any legal right to sell said franchises for stipulated sums per annum. They seem to have assumed that they had the right to sell their franchises for the full amount to be raised by virtue of the grants, and in doing so to empower their vendees to raise an unlimited sum by lottery. Had the grantees operated the lottery they were not authorized to raise a sum in excess of that stipulated in the grant. The persons to whom the grantees sold acquired no greater right. The grantees are not allowed to retain out of the proceeds of the sale of tickets more than twenty per cent., and in case they sold the franchise they were required to exact from the purchaser at least ten per cent. of the amount proposed to be drawn. The sale of these grants were not made in accordance with said provisions. These sales require the full sums authorized to be raised by the grants to be paid to the grantees. The vendees are not restricted within the twenty per cent. The obvious intention of the Legislature has been violated by such contract. It having been made by agents under legislative authority, that authority must be strictly pursued. The contract is absolutely void. By such a contract a lottery grant could be perpetuated forever. No provision was made for any account to be kept from which they or the Commonwealth could ascertain the profits realized by the vendees. Under such a contract, the vendee could retain eighty per cent. of the proceeds of the sale of tickets, and give the ticket holders the remaining twenty per cent. (3.) The committee is of the opinion, that while the city council of Frankfort, and the managers under the Henry Academy and College grant, had legislative authority to sell, their vendees had no such authority to sell; and, therefore, the sales to the present claimants are void.

The committee is further of the opinion that these lotteries can be effectually suppressed by an earnest and active warfare against them in the courts. To this end, it is recommended that the Attorney General be instructed to institute such legal proceedings in the proper courts as will determine the question of the right of the present claimants to conduct them, and that he give to the Commonwealth's

Attorneys such aid and instruction in the performance of their duties as will set on foot the necessary prosecutions for any violations of the law for the suppression of lotteries. It is also recommended that the Governor be empowered, if he shall deem proper, to employ additional legal counsel to represent the Commonwealth. The proof taken by the committee, together with a large number of exhibits, accompanies this report. The exhibits may be used as evidence in prosecutions against claimants of the Frankfort grant of 1869. They have been obtained at considerable cost, and the use of them for the purpose indicated will save the Commonwealth the cost of additional copies.

This report is respectfully submitted to you, and through you to your respective bodies of the General Assembly, with the hope that the work of the committee may be approved and the committee discharged.

J. S. WORTHAM, *Chairman.*

D. W. WRIGHT,

J. H. RUDY,

JOHN H. WELCH,

W. S. BAILEY.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend the charter of the city of Paducah, Kentucky.

By Mr. Lindsay, from the same committee—

An act to incorporate the Beattyville Trust Company.

By Mr. Hays, from the same committee—

An act to incorporate the Exchange Bank of Owingsville.

By Mr. Lindsay, from the same committee—

An act to amend an act, entitled "An act to incorporate the Louisville Car Trust Company."

By same—

An act to incorporate the Farmers' Bank of Beattyville.

By same—

An act to amend an act, entitled "An act to incorporate the Bank of Henderson," approved March 8, 1890.

By same—

An act to incorporate the Central Bank.

By Mr. Mulligan, from the Committee on Charitable Institutions—

An act to amend an act, entitled “An act to incorporate the Lexington Charity Organization Society.”

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to incorporate the Louisville Steam Motor Power Company.”

By Mr. Berry, from the Committee on Federal Relations—

An act to incorporate the town of Zion, in Henderson county, Kentucky.

By Mr. Wright, from the Committee on General Statutes—

An act to amend, revise and reduce into one the several acts in relation to the town of Mt. Washington, in Bullitt county.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to regulate the right of voting in precinct of Hickory Grove, in Graves county.

By same—

A act to change the time of holding elections for, and commencement of, term of office of justices of the peace and constables in the counties of Breathitt and Morgan.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to authorize the board of trustees of town of Falmouth to issue bonds for the purpose of refunding the bonded indebtedness of said town.

By same—

An act to amend an act which was approved April 26, 1886, amending the charter of Williamstown.

By Mr. English, from the Committee on Internal Improvements—

An amend to amend an act, approved May 6, 1880, entitled “An act to incorporate the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company, now known as the Kentucky Union Land Company.”

By same—

An act prohibiting the charging of certain persons toll on turnpike roads in Woodford county, Kentucky.

With amendments to the two last-named bills,
Which were adopted

Ordered, That said bills, the two last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, to which they were referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled “An act to amend and reduce into one all acts incorporating and relating to the town of Hillsboro, in Fleming county.”

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Mechanics’ Building and Loan Association of Lexington.”

By Mr. Lindsay, from the same committee—

An act to incorporate the Commerce Insurance Company of Mt. Sterling, Kentucky.

By same—

An act to incorporate the Bank of Commerce of Mount Sterling.

By same—

An act to incorporate the Hardin County Savings Bank and Trust Company.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Common School District No. 21, in Boyle county.

By same—

An act authorizing Mason county to levy a tax in aid of common schools in said county.

By same—

An act to establish and maintain a public graded school in Eden, Martin county.

By same—

An act to incorporate Hargis College of Mt. Pleasant, Harlan county, Kentucky.

By same—

An act to incorporate Buckner College of Hindman, Knott county, Kentucky.

By same—

An act for benefit of White Common School District No. 49, Elliott county.

By Mr. Reynolds, from the Committee on Executive Affairs—

An act to incorporate the Cumberland Contract Company.

By Mr. Wright, from the Committee on Lotteries—

An act to amend section 4 of an act, entitled "An act to still further amend the tax laws of city of Louisville," approved April 20, 1888,

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By unanimous consent, Mr. Terry reported a bill, entitled

An act to repeal an act, entitled "An act to prohibit the sale, loan, barter or traffic in spirituous, vinous or malt liquors in Todd county, and submit the same to the voters of said county,

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to

whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to promote the study of medicine and surgery in the city of Louisville," approved May 3, 1888,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry moved to reconsider the vote by which the Senate had passed said bill.

Mr. English moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Peterman, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Common School District No. 9, in Lincoln county.

Reported the same without amendment thereto.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, By oversight of the late superintendent of common schools for Lincoln county, seventy-four pupils of record in the original census report of Colored Common School District No. 9 of said county, for the school year ending June 30, 1889, were omitted in the report to the Superintendent of Public Instruction ; therefore

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Superintendent of Public Instruction is hereby authorized to draw his draft for the benefit of said school district for said school year, on the Auditor of Public Accounts, in favor of Kate Bogle, county superintendent of common schools of Lincoln county, for the sum of \$153.18, of which sum \$1.63 is payable out of the remainder of the interest and surplus of said surplus bond for the school year ending June 30, 1890, and the balance, 150.95, is payable out of the common school fund for the present school year ending June 30, 1890.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	C. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	D. H. Smith,
W. W. Dickerson,	James H. Mulligan,	G. Terry,
Sam E. English,	J. W. McCain,	D. W. Wright—29.
T. L. Glenn,	John McCann,	

Those who voted in the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills which originated in the House of Representatives of the following titles, viz :

An act to amend an act, entitled “An act to promote the study of medicine and surgery in the city of Louisville,” approved May 3, 1888 ;

An act to provide for constructing, improving and maintaining public roads and bridges in Christian county ;

An act for clearing out North Panther creek, in Daveiss county ;

An act to incorporate the Edison Electric, Illuminating, Heating and Power Company of Newport, Kentucky ;

An act to amend the charter of the town of Alexandria, in Campbell county ;

An act to incorporate the Nicholasville and Bethel Turnpike Road Company ;

An act to incorporate the East Fork Turnpike Road Company ;

An act to authorize the county court of Bell county to issue bonds for the purpose of raising money to build a bridge across the Cumberland river, at Pineville ;

An act to authorize the county court of Mercer county to surrender and cancel its stock in the Harrodsburg and Chaplin

River Turnpike Road Company from Dixville to Stuarts, and convert same into a county road ;

An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Greensburg," approved April 26, 1880 ;

An act to amend an act, entitled "An act for the benefit of McCracken county, empowering it to issue bonds and levy and collect taxes to pay for same, for the purpose of refunding its bonds at a lower rate of interest ;

An act to amend the charter of the town of Glasgow ;

An act to amend the charter of the town of Nicholasville ;

An act to amend an act, entitled "An act to incorporate the Steele's Turnpike Road Company," approved March 28, 1872 ;

An act to amend an act, entitled "An act to establish a board of county commissioners for Jefferson county," approved April 6, 1888 ;

An act regulating the making, altering and repairing county roads of Marion county ;

An act to amend the charter of the town of Horse Cave, in Hart county :

An act to amend an act, entitled "An act to charter the Lowell and Spoonville Turnpike Road Company ;

An act for the benefit of Lawrenceburg and Camdenville Turnpike Road Company No. 2, in Anderson county ;

An act to repeal section 7 of an act, entitled "An act to charter the South Carrollton Male and Female Academy," approved February 23, 1874, and to place districts Nos. 12 and 19, referred to in said act, back into their original places as other common school districts in said county ;

An act to amend an act incorporating the town of Central City, Muhlenberg county ;

An act to amend an act, entitled "An act to prevent hogs from running at large in West Point and vicinity, in Hardin and Meade counties ;"

An act to amend an act, entitled "An act to amend and reduce into one the acts relating to the town of Russellville," approved May 1, 1880 ;

An act changing the boundary and limits of the city of Owensboro, in Daveiss county ;

An act for the benefit of the town of Auburn ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort and Flat Creek Turnpike Road Company,' " approved February 15, 1869 ;

An act to amend section 9 of chapter 49 of an act, entitled "An act chartering the Graves county Banking and Trust Company," approved January 27, 1888 ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of Beech Grove, McLean county,' " approved March 27, 1888 ;

An act for the benefit of Muhlenburg county ;

An act to amend the charter of the town of Burgin, in Mercer county ;

An act to amend an act, entitled "An act to incorporate the Newport Electric Street Railway Company," approved March 21, 1890 ;

And enrolled bills, which originated in the Senate, of the following titles, viz. ;

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846 ;

An act to amend an act, approved February 9, 1886, and entitled "An act to amend an act, entitled 'An act to incorporate the Covington and Cincinnati Pier Bridge Company,' " passed April 4, 1884 ;

An act to regulate bridges spanning the Ohio river from points within the county of Kenton, and tolls on the same ;

An act to incorporate the Eclectic Medical Society of the State of Kentucky ;

An act to incorporate the Flemingsburg Graded High School of Flemingsburg, Kentucky ;

An act to incorporate the Winchester Street Railway Company ;

An act to amend the charter of the city of Somerset ;

An act to incorporate Trimble Lodge No. 77, I. O. O. F. ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signa-

ture thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Glenn withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to provide for levying a tax and working the public roads of Carlisle county.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bank of Benton, Marshall county,
Reported the same without amendment.

Mr. Glenn proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill which originated in the House of Representatives, entitled

An act to incorporate the Lexington and Richmond Railway Company,

Which was granted, and said bill was delivered to the messenger.

Mr. Dickerson was appointed a committee to ask the withdrawal from the House of Representatives of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to amend section 8 of article 6 of chapter 92 of General Statutes, entitled "Revenue and Taxation."

After a short time Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission," approved March 8, 1876.

On motion of Mr. McCain—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Thursday, April 10, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to appropriate and set apart \$25,000 as a fund for the relief of the sufferers in the cyclone on the night of March 27, 1890.

On motion of Mr. Lindsay—

Ordered, That said bill be placed in the orders of the day.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,' " approved April 25, 1888.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That subsection (b) of section 3 of the act to which this is an amendment be amended by striking out the words "by the faculty of a legally chartered medical school in this State or State Medical Society," and inserting in lieu thereof the words "by the State Board of Health," and that section 4 of said act be amended by adding the words "nor to a physician of an adjoining State, called in emergency or in consultation with a legally registered physician of this State: *Provided*, That this exemption shall in no case apply to any traveling empiric."

§ 2. After due notice and hearing to the holder of a previously indorsed diploma, the State Board of Health shall have authority to revoke any indorsement made under this act for habitual drunkenness, or for gross unprofessional or disreputable conduct of a character calculated to deceive and defraud the public; and for like cause, and under similar restrictions, any and each medical college chartered under the laws of this State shall have authority to revoke any diploma issued by such college, and such action by such board or college shall cause the registration

of such diploma in any county in this State to be cancelled and void upon notice to the county clerk of such county."

§ 3. One-third of any fine arising from prosecutions under this act shall be paid to the person furnishing the information upon which the warrant is based: *Provided*, The party furnishing said information shall, when the warrant is issued, execute bond, with good security, conditioned to pay the costs in the event said prosecution fails.

§ 4. This act shall take effect and be in force from and after its passage.

Mr. Wright moved to amend said bill as follows, viz:

Amend by striking out the third section.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to prescribe the mode of ascertaining the value of property of companies owning bridges crossing the Ohio river into or from this State for taxation and taxing the same.

Mr. Newman proposed an amendment to said bill.

Mr. Hendrick moved that said bill and the proposed amendment thereto be recommitted to the Committee on Revenue and Taxation.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wright—

1. A bill to incorporate the Green River Land Improvement and Investment Company.

On motion of Mr. Poyntz—

2. A bill to amend the charter of the town of Chester, Mason county.

On motion of Mr. Lindsay—

3. A bill for the benefit of tavern keepers and others.

On motion of same—

4. A bill to increase the pay of guards at Kentucky Penitentiary.

On motion of Mr. Darby—

5. A bill in regard to use by attorneys of certain records in Court of Appeals and Superior Court.

On motion of Mr. McCann—

6. A bill to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company, and to change its name to the Kentucky Fuel Gas Company."

On motion of Mr. Hendrick—

7. A bill to modify an act, entitled "An act to amend an act to charter the Cairo and Tennessee River Railroad Company," being chapter 753, of Acts of 1887-1888, approved March 27, 1888.

On motion of Mr. Roberts—

8. A bill to incorporate the Barnes' Mill and Schooler Turnpike Road Company, in Madison county.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 2d; the Committee on Revenue and Taxation the 3d; the Committee on Penitentiary the 4th; the Committee on the Codes of Practice the 5th; the Committee on the Judiciary the 6th and 7th, and the Committee on Propositions and Grievances the 8th.

On motion of Mr. May, the Senate then adjourned.

WEDNESDAY, APRIL 9, 1890.

The reading of the Journal of yesterday was dispensed with.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Wright—

1. A bill for the benefit of Carpenter, Annear & Company.

On motion of Mr. Roberts—

2. A bill for the benefit of Common School District No. 1 (colored), Madison county.

On motion of Mr. Breckinridge—

3. A bill to authorize the county court of Boyle county to

purchase or lease turnpike roads in said county, or contract with turnpike road companies in relation to tolls, and provide for condemning turnpike roads for public use.

On motion of Mr. May—

4. A bill authorizing the clerk of the Hardin County Court to grant and issue license for stud horses in certain cases for the year 1889.

On motion of same—

5. A bill to amend the charter of the Elizabethtown Building and Loan Association.

On motion of Mr. Gates—

6. A bill relating to roads and bridges in McLean county.

On motion of Mr. Smith—

7. A bill to amend an act to establish a State Board of Equalization of Assessments in this Commonwealth, approved May 4, 1888.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st and 4th; the Committee on Education the 2d; the Committee on the Judiciary the 3d; the Committee on Banks and Insurance the 5th; the Committee on Internal Improvements the 6th, and the Committee on Revenue and Taxation the 7th.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Hendrick, from the Committee on the Judiciary—

An act for the benefit of the Mayfield Water and Light Company, legalizing all defects which may exist in the organization and proceedings of same, and authorizing it to sell bonds and make mortgage.

By Mr. Anderson, from the Committee on General Statutes—

An act to provide for the punishment of petit larceny in Graves county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Union Insurance Company of Louisville."

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to amend an act resubmitting to the voters of Hardin

county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county, approved March 15, 1890.

By Mr. Terry, from the Committee on General Statutes—

An act to repeal an act, entitled “An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county,” approved April 14, 1886.

By same—

An act to amend section 5, article 2, chapter 45, in reference to fugitives from justice, General Statutes.

By same—

An act to amend section 5 of chapter 79, General Statutes.

By same—

An act to change the corporate limits of the town of Greenville, in Muhlenberg county.

By same—

An act to amend article 26, chapter 29 of the General Statutes.

By same—

An act regulating the conveyance of cemetery lots in the town of Russellville, Logan county, Kentucky.

By Mr. Anderson, from the same committee—

An act to incorporate the Shelby and Spencer Fishing and Game Club.

By Mr Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to incorporate the town of Enterprise, in Carter county.

By Mr. Anderson, from the Committee on General Statutes—

An act to regulate the duties of the trustee of the jury fund of Jefferson county.

By same—

An act for the benefit of Thomas J. Starks, of Allen county.

By same—

An act to amend an act, entitled “An act to incorporate the town of Brandenburg, in Meade county.

By same—

An act to amend article 5, chapter 28, General Statutes, titled “Courts.”

By same—

An act to prevent and punish trespass upon real estate in certain counties in this Commonwealth,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 13, of article 1, chapter 5, General Statutes,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 5, article 1, section 3, of General Statutes,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 2 of an act, entitled "An act to amend section 10, article 17, General Statutes," approved April 13, 1880,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third

reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to empower county justices and police courts to appoint attorneys to represent the Commonwealth in certain prosecutions for misdemeanors, and provide compensation for such attorneys.

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Goebel, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend article one of chapter 47 of the General Statutes, entitled "Gaming,"

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That it shall be unlawful for any person or persons to play, take part or participate in the game or games commonly known as oontz or craps, or any game or games played with dice or other similar contrivance, wherein, whereby or upon the result of which money or other thing of value is bet, waged, won or lost in anywise whatever.

§ 2. Any person violating the provisions of the preceding section shall be guilty of a misdemeanor, and, upon conviction in a circuit or other court of competent jurisdiction, shall be fined not less than fifty dollars nor more than one hundred dollars, or confined in the county jail not more than three months, or both, at the discretion of the jury.

§ 3. Any person who shall set up, keep, manage, or operate, or assist in setting up, keeping, managing, or operating any such game or contrivance as is described in section 1 of this act, whereby or wherein others are permitted to or do engage in such game, shall be deemed guilty of a felony, and, upon con-

viction, shall be confined in the penitentiary not less than one year nor more than three years; shall be deemed infamous after conviction, and be forever thereafter disqualified from exercising the right of suffrage, and from holding any office of honor, trust or profit, whether it be State, county, city or municipal. The judgment of conviction in any case shall recite such infamy and disqualification, and shall not be valid without such recital. The provisions of this section shall not include nor be applicable to persons who play in such game unless they take part in setting up, keeping, managing, or operating, or assist in setting up, keeping, managing, or operating such game.

§ 4. The change of the name of the game, machine or contrivance mentioned in this act shall not prevent the conviction of any person violating the provisions thereof.

§ 5. Prosecutions for violations of this act may be had within five years after the commission of the offenses, but not later.

§ 6. All acts or parts of acts in conflict with this act are hereby repealed.

§ 7. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
Ben F. Bradley,	R. G. Hays,	A. L. Peterman,
R. J. Breckinridge,	J. B. Hannah,	J. M. Pieratt,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	Phil Roberts,
F. W. Darby,	J. H. Lunsford,	G. Terry,
W. W. Dickerson.	J. W. Martin,	D. W. Wright—23.
T. L. Glenn,	John McCann,	

In the negative—W. F. Berry—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Goebel moved to reconsider the vote by which the Senate had passed said bill.

Mr. Goebel moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Peterman, from the Committee on Education, to whom was referred leave to bring in a bill, entitled

An act to amend and reform articles 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 of the common school laws of this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Peterman—

Ordered, That said bill be printed and recommitted to the Committee on Education.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate a turnpike road in Franklin county from a point on the Frankfort and Lawrenceburg Turnpike Road, between the lands of J. N. Blakemore and sisters to a point on the Harrodsburg and Louisville Turnpike Road, near Edward Thomas ;

An act to amend an act, entitled “An act to incorporate the Paris Electric Light Company, in Bourbon county,” approved May 9, 1884 ;

An act to enable the Board of Councilmen of the city of Augusta, in Bracken county, to issue the bonds of said city in aid of the establishment of manufactures in said city ;

An act to amend an act, entitled “An act to amend, digest and reduce into one all the acts incorporating the city of Lexington,” approved April 19, 1882, and all acts amendatory thereof ;

An act to incorporate the town of Rosewood ;

An act to incorporate Bell and Harlan County Turnpike Road Company ;

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county ;

An act creating the voting precinct of Waddy, in Shelby county ;

An act to amend the charter of the city of Vanceburg, in Lewis county ;

An act to prevent stock from running at large in the Brooksville and Berlin precincts, in Bracken county ;

An act to amend the charter of the city of Hopkinsville, in Christian county ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts respecting the town of Fulton ;

And an enrolled bill, which originated in the Senate, of the following title, viz :

An act to repeal an act, entitled "An act to incorporate the Ironside Bank of Smithland," approved May 4, 1888, and to re-enact a charter in lieu thereof ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to incorporate the Bowling Green Land and Improvement Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Peterman, leave of absence indefinitely was granted Mr. Stewart.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend title 9, chapter 2, subdivision 3 of Civil Code of Practice, title "Verdict."

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That sections 326, 327 and 328 of the Civil Code of Practice, and an act, entitled "An act to amend chapter 2, title 9, of the Civil Code of Practice, by repealing certain portions thereof," approved May 15, 1886, be, and the same are hereby, repealed, and the following sections are adopted in lieu thereof respectively :

§ 326. The verdict of a jury is either general or special. A general verdict is that by which they find, generally, upon all or any of the issues, either in favor of plaintiff or defendant. A special verdict is that by which they find the facts only, and must present the facts as established by the evidence (and not the evidence to prove them), in such way that nothing remains for the court but to deduce from them conclusions of law.

§ 327. Unless otherwise directed, the jury, in their discretion, may render a general or special verdict; but the court may direct a general verdict only, or, upon or of its own motion, may, in its discretion, direct the finding upon particular questions of fact, to be stated in writing, which questions of fact so stated, and the finding as to each, shall be recorded.

§ 328. When the special finding of fact is inconsistent with the general verdict the former controls, and the court will render judgment accordingly.

§ 2. This act shall be in force from its passage.

The Committee on Codes of Practice had heretofore proposed the following amendment to said bill, viz :

Amend section 327 by inserting after the word "upon," in line three, the following words, viz : "Motion of a party."

Mr. Wright had heretofore proposed to amend said bill as follows, by adding the following :

"Only such questions shall be submitted as may ascertain the material facts in issue."

Mr. Smith moved that said bill and the proposed amendments thereto be laid on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	Chas. B. Poyntz,
Ben F. Bradley,	J. B. Hannah,	B. F. Reynolds,

R. J. Breckinridge,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	D. L. May,	D. H. Smith—14.
G. W. Gates,	A. L. Peterman,	

Those who voted in the negative, were.

W. H. Anderson,	R. G. Hays,	J. W. McCain,
Reuben Conner,	John K. Hendrick,	John McCann,
F. W. Darby,	William Lindsay,	J. J. Paul,
W. W. Dickerson,	J. H. Lunsford,	G. Terry,
T. L. Glenn,	J. W. Martin,	D. W. Wright—15.

Mr. Breckinridge moved that the further consideration of said bill and the proposed amendments thereto be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Darby and Wright, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	B. F. Reynolds,
Ben F. Bradley,	J. B. Hannah,	Phil Roberts,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith—11.
B. F. Cockrell,	D. L. May,	

Those who voted in the negative, were—

Reuben Conner,	R. G. Hays,	J. W. McCain,
F. W. Darby,	John K. Hendrick,	John McCann,
W. W. Dickerson,	William Lindsay,	G. Terry,
T. L. Glenn,	J. H. Lunsford,	D. W. Wright—12.

The question was then taken on the adoption of the amendment proposed by the committee to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Smith and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby,	John K. Hendrick,	John McCann,
W. W. Dickerson,	William Lindsay,	J. J. Paul,
T. L. Glenn,	J. H. Lunsford,	G. Terry,
R. G. Hays,	J. W. McCain,	D. W. Wright—12.

Those who voted in the negative, were—

Ben F. Bradley, Reuben Conner, Phil Roberts—3.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to provide for the registration of voters in the county of Christian.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Hendrick moved that said bill be referred to the Committee on General Statutes.

Mr. Lunsford proposed to amend said motion by striking out "General Statutes," and insert "Propositions and Grievances."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on the motion of Mr. Hendrick, and it was decided in the negative.

Said bill was referred to the Committee on General Statutes.

Mr. Goebel, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes, semi-monthly, in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation,

Reported the same, without amendment.

Mr. Goebel moved that the session of the Senate be extended for the day until the bill under consideration is disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Lindsay proposed an amendment to said bill.

Mr. Breckinridge moved that the further consideration of said bill and proposed amendment be postponed, and that it be made the special order of the day for Wednesday, April 16, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Glenn moved that the further consideration of said bill, and proposed amendment be postponed, and that it be made the special order of the day for Friday, April 11, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The question was then taken on the motion of Mr. Breckinridge, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Hays, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	W. W. Dickerson,	D. L. May,
Ben F. Bradley,	R. G. Hays,	J. J. Paul,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	G. Terry—14.
J. B. Hannah,	A. L. Peterman,	

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend section 18 of chapter 31 of the General Statutes.

An act to incorporate the Greensburg Deposit Bank.

An act to amend an act, entitled "An act to incorporate the Danville Railroad Company," approved April 14, 1888.

An act to amend an act, entitled "An act to incorporate the Hardin County Fair Association.

An act to amend chapter 291 of the Session Acts of 1867-8, so far as it applies to Shelby county.

An act to incorporate the town of Cropper's, in Shelby county.

An act to incorporate the Hopkins County Bank.

An act to amend section 8 of article 2 of chapter 44 of the General Statutes.

An act to amend article 1 of chapter 47 of General Statutes, entitled "Gaming."

An act to make the provisions of an act to incorporate the purchasers of railroads, approved March 1, 1876, and the amendments thereto, apply to the purchasers of turnpike roads.

An act to amend section 1, article 4 of chapter 5 of the General Statutes.

An act to provide for a registration of voters in the city of Maysville.

An act for the benefit of Pee Wee Valley Hotel Company.

An act to prohibit the sale of spirituous, vinous or malt liquors within two and one-half miles of the Methodist church house or common school-house in Campton, in Wolfe county.

An act to authorize and empower the Wolfe County Court to levy and collect an ad valorem and poll or capitation tax to raise funds to build a jail and poor-house.

An act making it unlawful for stock to run at large on certain turnpikes in Spencer county.

An act to amend the charter of the city of Louisville in regard to the salary of the assessor of the city of Louisville.

An act to amend the charter of the city of Louisville in regard to the salary of the auditor of the city of Louisville.

An act to authorize the Morgan County Court to appropriate money in the hands of W. A. Maxey, receiver of the Morgan County Court, raised under an act approved April 5, 1880, to the building of a jail for Morgan county.

An act to amend the charter and extend the boundary of the town of Belleview, in Campbell county.

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county."

An act to legalize an order of the Larue County Court of Claims regulating the price for wagons, plows, teams, etc., used on public roads in said county.

An act to authorize Boyle County Court to levy a tax.

An act to amend the charter of the city of Louisville in regard to the salary of the treasurer of the city of Louisville.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March 10, 1873.

An act to incorporate the city of Grand Rivers, of Livingston county.

An act to amend an act, entitled "An act to reduce into one the several acts in relation to turnpike roads in Nicholas county, and appertaining thereto, and providing for a turnpike commissioner," approved February 29, 1888.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Georgetown," approved March 6, 1880.

Mr. Roberts, who had heretofore been appointed a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to recharter the town of Mount Vernon, in Rockcastle county,

Reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Roberts moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading were then reconsidered.

Mr. Roberts proposed an amendment to said bill,
Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Anderson, from the joint committee of conference, appointed by the two Houses to take into consideration the disagreement of the two Houses in regard to the substitute adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky.

Submitted the following report, viz :

To the General Assembly of the Commonwealth of Kentucky :

Your committee appointed by the Senate and House of Representatives to confer in reference to the difference between the two branches of the Legislature in reference to the act, entitled "An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky," would respectfully report that they have agreed on the bill passed by the Senate as a substitute for the House bill, with an amendment to the fourth section, which is as follows: "Amend by striking out section 4, and insert in lieu thereof the following: The convention, when assembled, after taking the oath of office as prescribed by the Constitution, shall elect one of their number president, and may elect a secretary, assistant secretary, printer, stenographer and assistants, and such other officers and employes as they may deem necessary and proper. The delegates shall receive as compensation the same allowance per diem and mileage as is now allowed by law to members of the House of Representatives, but shall not be paid for any recess longer than five days at one time. The president, officers and employes shall receive a compensation such as may be fixed by said convention. The compensation to the delegates, president, officers, etc., shall be paid by the Auditor and Treasurer in the same manner as now provided by law concerning the pay of members, officers, etc., of the House of Representatives.

W. H. ANDERSON,
Chr'n Joint Com.;

JOHN K. HENDRICK,
D. H. SMITH,
J. W. MCCAIN.

W. M. SMITH,
Chr'n House Com.;

J. M. FRAZEE,
W. B. SMITH,
GUS W. RICHARDSON,
GEO. B. KINKEAD.

(For bill and substitute referred to in said report, see Journal March 22d, pages 849 and 850.)

The question being on the adoption of said report,
Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of said report, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	John R. Kemp,	Chas. B. Poyntz,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	J. W. Martin,	G. Terry,
G. W. Gates,	D. L. May,	D. W. Wright—26.
T. L. Glenn,	J. W. McCain,	

Those who voted in the negative, were—

R. J. Breckinridge,	J. M. Pieratt,	Phil Roberts— 4.
R. G. Hays,		

Mr. Anderson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Anderson, in pursuance of the report of the Committee of Conference, proposed the following amendment to the substitute heretofore adopted by the Senate, for the bill, viz:

Amend by striking out section 4, and insert in lieu thereof the following:

§ 4. The convention, when assembled, after taking the oath of office as prescribed by the Constitution, shall elect one of their number president, and may elect a secretary, assistant secretary, printer, stenographer and assistants, and such other officers and employes as they may deem necessary and proper. The delegates shall receive as compensation the same allowance per diem and mileage as is now allowed by law to members of the House

of Representatives, but shall not be paid for any recess longer than five days at any one time. The compensation to the delegates, president, officers, etc., shall be paid by the Auditor and Treasurer in the same manner as now provided by law concerning the pay of members, officers, etc., of the House of Representatives.

Mr. Breckinridge moved to amend said proposed amendment by striking out all the provisions thereof concerning the pay of the delegates to constitutional provision.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Anderson to the substitute adopted by the Senate, and it was decided in the affirmative.

Ordered. That said bill, as amended, be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a convention be, and the same is hereby, called, for the purpose of readopting, amending or changing the Constitution of this State, to be held in the city of Frankfort, the capital of the State, commencing on the second Monday in September, 1890, and continuing from day to day till the business thereof be completed, with power to adjourn and reassemble at such times as it may deem proper. Said convention shall consist of as many members as there are of the House of Representatives, and no more, who shall have the qualifications of an elector for Representative. Said members shall be apportioned among the several counties of the State, in the same manner and proportion that Representatives now are by the law as it now exists.

§ 2. That it shall be the duty of the sheriff, and other returning officers, at the election to be held on the first Monday in August, 1890, to open a poll at their several places of voting, for delegate to said convention, and all citizens entitled to vote for Representative shall have the right to vote for delegate.

§ 3. That the sheriffs, judges and clerks of the county courts of the several counties shall, upon comparison and count of the votes, within ten days after the election of delegates to said convention, deliver to each person, who shall have been elected a delegate, a certificate of his election as such, and they shall, within twenty days after said election, transmit a copy thereof to the Secretary of State, which certificate shall be in the following form, viz : “ Be it known to all to whom these presents shall come, that we ———, sheriff, and ——— judge of the county court, and ——— clerk of the county court of ——— county, by an election held on the first Monday in August, 1890,

by the electors of said county, qualified according to law, caused to be chosen ————— for said county, to represent the same in the convention to be held in the city of Frankfort on the second Monday in September, 1890, for the purpose of readopting, amending or changing the Constitution of this State. Given under our hands, this, the ——— day of ———, 1890." *Provided*, That in case of the resignation, inability to serve, or death of any member who may be elected a delegate to said convention, the Governor shall, upon information, issue a writ of election to the sheriff of the county where said vacancy may occur, directing and authorizing him to hold an election in ten days after the receipt of said writ, to fill any vacancy so occurring.

§ 4. The convention, when assembled, after taking the oath of office, as prescribed by the Constitution, shall elect one of their number president, and may elect a secretary, assistant secretary, printer, stenographer and assistants, and such other officers and employes as they may deem necessary and proper. The delegates shall receive as compensation the same allowance per diem and mileage as is now allowed by law to members of the House of Representatives, but shall not be paid for any recess longer than five days at one time. The president, officers and employes shall receive as compensation such as may be fixed by said convention. The compensation to the delegates, president, officers, etc., shall be paid by the Auditor and Treasurer in the same manner, as now provided by law concerning the pay of members, officers, etc., of the House of Representatives.

§ 5. That the sheriff and other officers of the election shall be liable to all such fines and penalties for failing to discharge the several duties imposed by this act as are now imposed upon them by law for a failure to perform their duty in conducting other general elections, and all persons who shall be found guilty of casting illegal votes for delegates shall be liable, upon conviction, to all the fines and penalties now provided by law for illegal voting.

§ 6. That when two or more counties vote together in the election of a delegate, the sheriffs of said counties, after the votes of each county shall have been compared and counted in the manner and by the officers hereinbefore provided for, shall meet at the court-house of the county polling the largest number of votes within ten days after said comparison and counting in each county, and said sheriffs shall then compare the returns from said counties, and shall jointly give the certificate hereinbefore described to the delegate elected.

§ 7. The sheriffs, county judges and county clerks shall be governed by the said laws now in force regarding the comparison of the polls for Representatives.

§ 8. The said convention, when assembled, shall have authority to cause to be printed, at the cost of the State, all such of its debates and proceedings as it may deem proper; and it shall be the duty of the State Librarian to furnish a hall for the meet-

ing of said convention, and all such committee rooms as the business of the convention may require; and each member of said convention shall be allowed the sum of twenty-five dollars for stationery, to be paid as herein provided for as to other allowances for them.

§ 9. In case the right to a seat in said convention by any delegate who holds a certificate of election is contested, said convention shall decide such contest, and testimony shall be taken in the same manner and the same proceedings had as in case of a contest as to the seat of a Representative; and in case of a tie the Governor shall issue a writ of election as provided for herein in case of a vacancy.

§ 10. That before any Constitution agreed upon by said convention shall take effect or become operative, the same shall be submitted to the qualified voters of this Commonwealth, after at least ninety days' notice, and ratified by a majority of those voting.

§ 11. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	C. B. Poyntz,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	D. L. May,	D. H. Smith,
G. W. Gates,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	D. W. Wright—28.
William Goebel,		

In the negative—R. G. Hays—1.

And then the Senate adjourned.

THURSDAY, APRIL 10, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents in the counties of Ballard, Carlisle, Hickman and Fulton.

That they had concurred in the adoption of a joint resolution, and passed bills, which originated in the Senate, of the following titles, viz:

Resolution requesting our Senators and Representatives in Congress to urge the passage of a bill granting a pension to John J. Tulley.

An act to amend the charter of the Newport Light Company.

An act to incorporate the Trenton Natural Gas, Mining and Manufacturing Company of Henderson, Kentucky.

An act to amend the charter of the city of Louisville and directory to the board of commissioners of public charities of said city.

An act to incorporate the Kentucky Southern Oil and Gas Company.

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867.

An act to amend the charter of the city of Newport.

An act to amend the charter of the incorporated district of Highlands, in Campbell county.

An act to provide for sewerage in the city of Dayton.

An act incorporating the Citizens' Electric Light Company of Dayton, Kentucky.

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved March 31, 1886.

An act to incorporate the Hardin County Savings Bank and Trust Company.

An act to provide for sewerage in the city of Newport.

An act to amend the charter of the city of Newport.

That they had passed bills, with amendments thereto, which originated in the Senate of the following titles, viz :

1. An act to amend the charter of the city of Louisville, regarding pensioning of disabled firemen and policemen.
2. An act regulating the election of directors, trustees or managers of the institutions or corporations of the city Louisville, whose directors, trustees or managers are by law elected by the general council of the city of Louisville.

The amendment to the first named bill was taken up and concurred in, and the last named bill, together with the amendment thereto, was referred to the Committee on Courts of Justice.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county."

2. An act to amend the charter of the town of West Covington, Kenton county.

3. An act to amend the charter of the town of Pembroke, in Christian county.

4. An act for the benefit of the University Club of Louisville.

5. An act to incorporate the Richmond Brick-making Company.

6. An act to amend an act, entitled "An act incorporating the People's Homestead and Savings Association."

7. An act to incorporate Richmond Commandery No. 19, of Knights Templar.

8. An act to incorporate Richmond Royal Arch, Chapter No. 16, Free and Accepted Masons.

9. An act to incorporate Richmond Lodge No. 25, Free and Accepted Masons.

10. An act to reduce into one all acts in reference to the town of Pewee Valley and to more clearly define the boundary of said town.

11. An act to amend an act, entitled "An act to incorporate the Woodford Hotel Company," approved March 10, 1869.

12. An act to amend the charter of the town of Quincy, in Lewis county.

13. An act to provide for the establishment of public parks

in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same.

14. An act to incorporate the Kentucky Abstract and Guaranty Association.

15. An act to amend an act, entitled "An act amending an act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building and aiding in building railroads, bridges and telegraph lines," approved March 28, 1872.

16. An act to incorporate the St. Patrick's Total Abstinence Society of the Church of St. James, Brooksville, Kentucky.

17. An act to charter the Mt. Pleasant Cemetery Company, in Ballard county.

18. An act to amend an act, entitled "An act to incorporate the Campbell County Protestant Children's Home," approved April 3, 1884.

19. An act to amend an act to incorporate the Richmond Hotel Company.

20. An act to charter the Franklin Woolen Mill Company.

21. An act to incorporate the Falls City Running and Trotting Club, in Jefferson county.

22. An act to create the Newport police and fire district in Campbell county, and to provide for the government thereof.

23. An act to incorporate the National Contract and Construction Company.

24. An act to incorporate the Falmouth Electric Light, Heating and Motive Power Company.

25. An act to incorporate the United Hebrew Relief Association of Louisville.

26. An act to incorporate the Cupio and Riverview Turnpike Road Company.

27. An act to incorporate the Northern Kentucky Land Title Insurance Company.

28. An act to amend the charter of the city of Augusta and exempt certain property from taxation for city purposes.

29. An act to incorporate the Capital Contract Company.

30. An act to amend an act to create the office of commissioner of bonds for the city of Louisville, approved March 26, 1890.

31. An act to incorporate the Schaefer-Meyer Brewing Company.

32. An act to incorporate the Kentucky Oil, Mining and Manufacturing Company.

33. An act to incorporate Clay City, in Powell county.

34. An act to amend chapter 1144, Session Acts, 1887-8.

35. An act to amend an act to incorporate the Eminence Live Stock Fair Association of Henry county, approved February 18, 1888.

36. An act to amend an act to incorporate the Drennon Springs Company of Henry county, approved April 7, 1889.

37. An act to incorporate the Olive Branch Club.

38. An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company.

39. An act for the benefit of Hamilton Ormsby and other persons in Jefferson county.

40. An act to incorporate the Twelfth Ward Bandana Democratic Club of the city of Louisville.

41. An act to incorporate the Mechanics' Bank and Trust Company of Mount Vincent, Kentucky.

42. An act to incorporate the Bank of Garfield, at Prestonsburg, in Floyd county.

43. An act to amend an act, entitled "An act to incorporate the Richmond, Irvine and Beattyville Railroad and the amendments thereto."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Propositions and Grievances; the 2d, 4th, 13th, 21st and 40th to the Committee on Courts of Justice; the 5th, 7th, 8th, 9th and 19th to the Committee on Library, Public Buildings and Offices; the 6th, 27th, 41st and 42d to the Committee on Banks and Insurance; the 10th, 35th and 36th to the Committee on Public Expenditures; the 11th, 15th, 23d, 26th, 29th, 31st, 32d, 34th, 37th and 38th to the Committee on Internal Improvements; the 12th to the Committee on Agriculture and Manufactures; the 14th, 33d and 39th to the Committee on the Judiciary; the 16th,

17th, 18th and 25th to the Committee on Religion and Morals; the 20th to the Committee on General Statutes; the 22d to the Committee on Immigration and Labor; the 24th and 28th to the Committee on Revenue and Taxation; the 43d to the Committee on Railroads,

And the 3d and 30th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz:

By Mr. Goebel, from the Committee on Courts of Justice—

An act to increase the jurisdiction of magistrates in the city of Covington to two hundred dollars.

By same—

An act to amend the charter of the town of West Covington, Kenton county.

By Mr. Hendrick, from the Committee on the Judiciary—

An act for the benefit of J. L. Hemphill, sheriff of Knox county, Kentucky.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to incorporate the Covington Trust Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, to which they were referred, viz:

By Mr. Wright, from the Committee on General Statutes—

An act to authorize the town of Bellepoint to issue and sell bonds for the purposes of public improvements.

By same—

An act to amend and reduce into one the acts relating to the town of Bellepoint, in Franklin county.

By same—

An act to incorporate the Green River Land Improvement and Investment Company.

By same—

An act to amend the charter of the town of Chester, Mason county.

By Mr. Paul, from the Committee on Codes of Practice—

An act to incorporate the Pineville Water Company of Bell county, Kentucky,

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the Senate, entitled

An act to amend section 9, article 35, chapter 29 of the General Statutes.

Mr. Dickerson moved that said bill be recommitted to the Committee on Codes of Practice.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	D. L. May,
R. J. Breckinridge,	R. G. Hays,	J. W. McCain,
Reuben Conner,	John K. Hendrick,	John McCann,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz—12.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	William Lindsay,	D. W. Wright—10.
T. L. Glenn,		

Mr. Lunsford presented the petition of the Farmers' and Laborers' Union of Hopkins county, praying the passage of certain laws by the present General Assembly,

Which was received, read and referred to the Committee on General Statutes.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to provide for the registration of voters in the county of Christian,

Reported the same, without amendment.

Said bill reads as follows, viz :

Officers.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the county judge of Christian county, the clerk of the Christian county court, and the sheriff of said county, shall constitute a board which shall, between the first and thirtieth of April of each year, appoint four sober and discreet citizens in each voting precinct of the said county to act as judges, clerk and sheriff of registration in the precincts for which they are appointed. No person shall be eligible as judge, clerk or sheriff who is not a voter in the precinct for which he is appointed, and a housekeeper. And where there are two political parties, said officers of registration shall be so selected as that one of the judges at each precinct shall be of one political party, and the other shall be of the opposing political party. They shall serve for one year from the time of their appointment, and each officer of registration, before entering upon the discharge of his duties, shall take the oath prescribed by section 1, article 8, of the Constitution.

§ 2. The sheriff of Christian county shall, at least ten days before the general registration in each year, as provided for in this act, give each officer of registration written notice of his appointment. Should the court, sheriff and clerk fail to appoint, or should all the officers appointed fail to attend at the place of registration for one hour after the time for commencing the registration, or refuse to act, then the sheriff, judge or

clerk, or either of them that can be found, of the county, shall appoint officers to act in their stead for that registration, but should one or two officers be in attendance, he or they may fill vacancies for the purpose of conducting that registration and may administer the necessary oaths of office.

§ 3. Officers of registration shall have the same power to preserve order at the places of registration as is exercised by officers of elections at the polls. If the officers of registration entertain any doubt as to whether or not any person offering for registration is entitled to such register, or if anyone's right to register is challenged, citizens may be called in, not exceeding three in number, who shall be examined touching the qualifications of such person or persons who offer to register.

Forms.

§ 4. It shall be the duty of the county clerk of Christian county to prepare the proper forms, and cause to be printed two registration books for each precinct in the county of Christian, one of which shall be kept in his office, to be used as provided in section 6 of this act, and the other furnished to the clerks of registration or election before each registration or election day, as hereinafter provided. Said books shall be so arranged as that the names of voters may be registered alphabetically, and shall be arranged as follows :

NAME.	Residence	Color	August election	November election . .	December election . .	Special election . . .	REMARKS.

General Registration.

§ 5. The officers of registration shall attend at the voting places of their respective precincts on the first and second Saturdays in June and the Friday immediately preceding each first and second Saturday in June of each year, from seven o'clock in the morning to six o'clock in the evening, and shall record in the registration books which shall be furnished by the clerks of the county court to each registration clerk a list of such qualified voters of the precinct as may apply for registration. Said list of votes shall be in alphabetical order, and shall show the

name of the person, the street on which he lives, if in an incorporated town, and whether he be white or colored; and, if the houses are numbered, the number thereof shall appear on the registration book, and if not numbered, the house, lodging, tenement, farm-house, shall be described in the registration book as accurately as practicable, giving the streets and between streets. Each person thus registered shall be furnished by the officers of registration with a certificate of registration, which shall be in the following form: This is to certify that _____

_____ has this day been duly registered as a legal voter in this the _____ voting precinct of Christian county. This the _____ day of _____

(Signed) _____, Clerk. No person shall be registered who does not appear personally before the judges of registration, and if he be not personally known to one of the officers, or any by-stander shall demand it, he shall be sworn by one of the officers and interrogated by him or such by-stander, touching his qualifications as provided in this act. Opposite the name of each person so sworn the clerk shall write the word "Sworn," which entry shall be *prima facie* evidence of such swearing in any prosecution under this act. Said registration in June shall be known as the general registration, and any person thus registered may vote at all elections until the next general registration hereinafter provided, unless he become disqualified after registering.

Qualifications.

§ 6. Every person shall be entitled to register who would be entitled to vote at the next succeeding August election—that is to say, every male citizen who, on that day, shall have attained the age of twenty-one years, and shall have resided in the State two years, in the county one year, and in the precinct in which he offers to register sixty days. No person shall be registered who does not personally appear before the officers of registration; and if he be not personally known to one of the officers or if any by-stander shall demand it, he shall be sworn by one of the officers and interrogated by him or by such by-stander, touching his qualifications, as provided in this section. Opposite to the name of each person so sworn the clerk shall write the word "sworn," which entry shall be *prima facie* evidence of such swearing in any prosecution under this act.

Aliens.

§ 7. Any alien possessing all the qualifications of a voter named in section 6 of this act, except citizenship, shall be entitled to be registered, but the clerk shall write opposite to his name, in the column headed "Remarks," the words "Not naturalized," and such alien shall not be entitled to vote at any

election held under that registration, unless he shall produce to the officers of the election his naturalization papers in due form of law.

Mode of Registering.

§ 8. In making the registration the clerk shall act as the recording officer, and the judges shall decide all questions relating to the qualifications of persons offering to be registered, except that in case of a difference of opinion between the judges the clerk shall have the casting vote. It shall be the duty of the clerk to number consecutively the names recorded under each letter of the alphabet as they are taken down, and at the close of the registration he shall sign his name as clerk after the last name recorded under letter as aforesaid in such manner as that no more names can be recorded above his, and shall foot up and certify in the back of the registration book the whole number of names recorded at that registration, and this certificate shall be signed by all the officers of registration before leaving the place of registration and in the presence of by-standers, any two of whom may, if they desire, sign their names as witnesses thereto. In addition to the requirements above, the clerk shall sign his name as such clerk at the foot of each page.

Return and Custody of Books.

§ 9. On the day following the close of the registration the clerk shall deliver the registration book into the hands of the clerk of the county court of Christian county, or one of his deputies, and take his receipt therefor. It shall be the duty of the said clerk to keep the said books safely in his office, and not to suffer the same to be taken therefrom, except as provided in this act. He shall also cause to be made one copy of each registration book in the blank book retained by him, as provided in section 4 of this act, which shall be kept in his office and not taken therefrom for any purpose. In case of loss of any registration book, a copy shall be made by the clerk from the copy retained in his office, which copy shall be used in registrations and elections with the same effect as the original. The clerk shall permit any citizen at any time to copy any registration book without fee or charge, and he shall also furnish copies at the same rate as provided in section 24 of this act for copying the book kept in his office. Copies furnished citizens under this section shall be paid for in cash by the person ordering them.

Special Registration.

§ 10. On the Friday and Saturday next after the first Monday in October, 1890, and on the same day in every second year thereafter, there shall be a registration of those persons whose

names were not registered at the previous June registration, and who, but for this act, would be entitled to vote for election for President and Vice President, or for members of Congress, at the ensuing election on the first Tuesday of November in each year. Registrations under this clause, and which shall be known as special registrations, shall be conducted in all respects and under all the provisions and requirements as are hereinbefore provided for the general registration of voters. And if, at any time and for any special purpose, an election shall be ordered by the county court of Christian county, the county judge may, if he shall deem the same advisable, order a special registration of all the voters of said county, for the purpose of ascertaining who shall be entitled to vote in said special election, and the said special registration shall be in all respects similar and according to the provisions of this act in regard to general registrations.

§ 11. On the day prior to each registration provided for in the previous section, the county clerk shall deliver to the registration clerks the registration books for their several precincts, and on the day of such registration the registration officers shall attend at their several places of registration and shall register the names of all persons appearing before them who may be entitled to vote at the election for which the registration is held, and whose names are not already on the registry for that year. The names shall be recorded immediately following the names recorded at the previous registration, and the registration shall be conducted and the books returned as provided in section 5, 6, 7, 8, and 9 of this act. Immediately after the books are returned, the county clerk shall cause the names recorded at that registration to be copied into the book retained in his office, as provided in section 9 of this act.

Removals.

§ 12. Any person removing from one precinct to another after having been registered for that year, may apply to the clerk of registration of the precinct from which he removes, on a registration day, and have his name cancelled off by writing opposite to it the word "removed;" and thereupon the clerk shall give to him a certificate in the following form: This is to certify that _____ has removed from this, the _____ precinct, _____ ward, to the _____ precinct _____ ward, and that his registration has been cancelled. (Signed) _____, clerk. Upon presenting this certificate to the officers of registration of the precinct to which he has removed, he shall be entitled to be there registered, if he possess the other qualifications named in section 6 of this act, and no person so removing, after being registered, shall be registered in another precinct without the production of such certificate.

Striking off Names.

§ 13. Any voter may, by giving five days' notice in writing to any person whose name has been registered, move the court to strike his name from the register, and both parties may introduce witnesses, not exceeding two on each side. Said notice must be served personally. If, at the hearing, the court shall be of the opinion that the person registered is not lawfully entitled to register, it shall direct the clerk to strike his name from the register by inserting after it the words: "Stricken off by order of the court. _____, Clerk." If the person upon whom notice is attempted to be served can not be found, the clerk shall write opposite such name on the registration book the word "Doubtful;" and when, at an election, such person whose name is marked doubtful shall offer to vote he shall be sworn, and his right to vote investigated fully.

§ 14. On the Saturday previous to the first Monday in August, 1890, and on the juridical day previous to every election to be held or vote of the people to be taken thereafter in the county of Christian, the clerk of the county shall deliver to the clerks of election the registration books for their several precincts, together with the poll-books, which said registration and poll-books shall be produced by the said clerks at their several precincts when the polls are opened on the day of election. At the said election no vote shall be received unless the person offering to vote is on the registry provided in this act, and if his vote be challenged by an officer of the election or by a by-stander, unless he exhibit to the officers of the election the certificate of registration issued to him in accordance with the requirements of sections 12 and 13 of this act: *Provided, however,* That any person whose name is properly recorded on the registry provided by this act, and who has lost his certificate of registration, shall be allowed to vote after he shall have been sworn by one of the judges of the election, and shall have stated under oath that he has lost said certificate of registration, and that said certificate has not passed into the hands of another person with his knowledge and consent.

How Absentees May Register.

§ 15. Any person entitled to register who was necessarily absent from the county of Christian during the days allowed for registration under and by the provisions of this act, or who was ill during said time, or who was unable to attend the place of registration on account of the sickness of some named member of his family, may have his name placed upon the registry for the precinct of which he lives by attending the county clerk's office at the times hereinafter specified, and making affidavit before the clerk, showing the facts required to be stated in the registry by section 5 of this act, and showing the absence of sickness hereinbefore referred to.

§ 16. On the last Monday in July in each year, and on the Saturday preceding the Congressional election, the county clerk of Christian county shall receive in a bound book to be kept by him for that purpose the affidavits provided for in the preceding section, and shall place the names of persons making such affidavits upon the proper registration books, and shall write his name as clerk and the date of the registry after the name of the person so registered in the column headed "Remarks." For this he shall receive a fee of ten cents for each name registered by him under this act, to be paid as other expenses of registration are paid.

§ 17. Any person making any false statement in any affidavit taken under this act, shall be deemed guilty of false swearing, and punished by confinement in the penitentiary not less than one nor more than five years; and any county clerk or deputy thereof who fraudulently registers the name of any person, knowing that such person is not entitled to be registered, or who registers a name at a time other than that provided in this act, shall, on indictment, be deemed guilty of a felony, and punished by confinement in the penitentiary not less than one nor more than five years.

§ 18. Any person in the county court clerk's office may challenge the right of any voter to register under this act, and thereupon the county clerk shall examine such voter, and any witness who may be offered under oath, and shall hear and determine the question of his right to register; and the duties herein imposed upon the county clerk may be performed by his deputy, and he or his deputy may administer oaths under this act.

False Registration.

§ 19. Any person who shall cause himself to be registered in more than one election precinct, otherwise than is provided in section 12 of this act, or more than once in the same precinct, or who shall cause himself to be registered, knowing that he is not lawfully entitled to registration, and any person who shall aid and abet in the commission of any of said acts, shall be deemed guilty of a misdemeanor, and shall be imprisoned in the county jail not less than one nor more than twelve months.

False Registration Books.

§ 20. Any officer of registration or other person who shall unlawfully alter any registration books, or add any name thereto, or who shall willfully secrete, suppress or destroy any such book, or who shall aid in making any false or fraudulent registration book shall be deemed guilty of a felony, and shall be confined in the penitentiary not less than one nor more than five years, and forfeit any office he then holds, and shall forever be disqualified from holding office.

Perjury.

§ 21. Any person who shall willfully make any false statement under oath lawfully administered under this act, shall be deemed guilty of perjury, and confined in the penitentiary not less than one nor more than five years.

Obstructing Registration.

§ 22. If any person by himself or in aid of others shall forcibly break up or attempt to break up a registration held under this act, or shall forcibly prevent or attempt to prevent any person from approaching or entering a place of registration, for the purpose of registering, shall be fined not less than \$100 nor more than \$500, or imprisoned in the county jail not less than six nor more than twelve months, or both.

§ 23. No witness shall be excused from testifying before any grand jury or in any prosecution or indictment under this act, on the ground that his testimony may criminate himself, but no such testimony shall be used against him in any prosecution, except for perjury in the giving of the same.

Fees.

§ 24. For his services under this act, the county clerk shall be entitled to the following fees, and no other: for copying the registry list required to be kept in his office, or to be used in supplying lost books, the sum of two cents for each voter whose name is copied; for his services under section 13 of this act, the sum of twenty five cents for the name of each voter stricken off the list; for receipting to the clerks of registration and election for registration books, the sum of five cents for each book receipted for; the sheriff shall receive for serving the notices provided for in section 2, the sum of sixty cents for each actual service. Officers of registration shall receive one dollar for each day they are employed in attending at the place of registration, but clerks of registration shall be entitled to any pay, except upon the production of the county clerk's receipt for their respective registration books, which receipt shall be the voucher of the officer paying them; the county of Christian shall pay all fees and expenses incurred under this act of registration.

§ 25. A copy of this act shall be printed in each registration book made under its provisions, properly attested by the county clerk, and during the month of May, 1890, shall be published in at least one issue of the county papers.

§ 26. This act shall take effect and be in force from its passage.

Mr. Hays moved that the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Thursday next, April 17th, at 11 o'clock A. M., and from day to day until disposed of.

Pending the further consideration of said bill, the hour of 11 o'clock A. M. having arrived, the Speaker announced the special orders of the day.

Mr. Wright moved that the special orders of the day be postponed until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Hays, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hendrick and Berry, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	John McCann,
Reuben Conner,	J. P. Huff,	J. J. Paul,
Sam E. Engilsh,	J. H. Lunsford,	A. L. Peterman,
R. G. Hays,	J. W. Martin,	Phil Roberts—12.

Those who voted in the negative, were.

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
W. F. Berry,	William Goebel,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
F. W. Darby,	William Lindsay,	G. Terry,
W. W. Dickerson,	D. L. May,	D. W. Wright—19.
G. W. Gates,		

Mr. Roberts moved to amend said bill as follows, viz:

"Amend by making the provisions of the bill apply to the counties of Livingston, Warren and Caldwell."

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Roberts, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

J. J. Paul,	Phil Roberts—2.
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Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	D. L. May,
W. F. Berry,	T. L. Glenn,	J. W. McCain,
Ben F. Bradley,	William Goebel,	John McCann,
R. J. Breckinridge,	R. G. Hays,	A. L. Peterman,
B. F. Cockrell,	J. B. Hannah,	J. M. Pieratt,
Reuben Conner,	John K. Hendrick,	Chas. B. Poyntz,
F. W. Darby,	J. P. Huff,	D. H. Smith,
W. W. Dickerson,	John R. Kemp,	G. Terry,
Sam E. English.	William Lindsay,	D. W. Wright—27.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Hendrick, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. W. McCain,
W. F. Berry,	G. W. Gates,	A. L. Peterman,
Ben F. Bradley,	T. L. Glenn,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	C. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
F. W. Darby,	William Lindsay,	G. Terry,
W. W. Dickerson,	D. L. May,	D. W. Wright—21.

Those who voted in the negative, were.

R. G. Hays,	J. H. Lunsford,	J. J. Paul,
J. B. Hannah,	J. W. Martin,	Phil Roberts—7.
J. P. Huff,		

Resolved, That the title of said bill be as aforesaid.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Smith moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	John McCann,
W. F. Berry,	G. W. Gates,	A. L. Peterman,
Ben F. Bradley,	T. L. Glenn,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
F. W. Darby,	William Lindsay,	G. Terry,
W. W. Dickerson,	J. W. McCain,	D. W. Wright—21.

Those who voted in the negative, were—

R. G. Hays,	J. H. Lunsford,	J. J. Paul,
J. B. Hannah,	J. W. Martin,	Phil. Roberts—8.
J. P. Huff,	D. L. May,	

A message was received from the Governor by Hon. Willis L. Ringo, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,	}
EXECUTIVE DEPARTMENT,	
FRANKFORT, April 10, 1890.	

Gentlemen of the Senate :

I hereby nominate the following-named persons for appointment as Notaries Public, to exercise their official functions for the term of four years within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

C. S. Martin, Warren county.
 E. C. McMahon, Nelson county.
 W. H. W. Outten, Mason county.
 T. C. Carson, Butler county.
 J. E. Childers, Logan county.
 James P. Carroll, Taylor county.
 Smith Crabb, Jefferson county.
 Samuel K. Cox, Ohio county.
 Thos. W. Cobb, Hart county.
 T. Beauregard Casky, Morgan county.
 G. H. Childs, Jefferson county.
 B. P. Carpenter, Fayette county.
 Alonzo B. Clapp, Jefferson county.

Henry E. Christie, Adair county.
L. K. DeRode, Fayette county.
Chas. J. Doherty, Jefferson county.
S. P. Deatherage, Madison county.
Louis DesCognes, Fayette county.
E. F. Farrell, Fayette county.
W. S. Francis, Jefferson county.
Frank B. Fitzgerald, Jefferson county.
Fountain T. Fox, Jefferson county.
J. F. Griffin, Jefferson county.
J. W. Gilmore, Fleming county.
Wm. W. Grinstead, Jefferson county.
Wallace Green, Boyle county.
P. N. Gillstrap, Butler county.
R. C. Tevis, Jefferson county.
C. T. Atkinson, Nelson county.
Wm. H. Yost, Jr., Muhlenberg county.
John J. Telford, Oldham and Jefferson.
A. E. Grainger, Jefferson county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to incorporate the city of Pineville, in Bell county,
Which was granted.

Whereupon the Speaker appointed Mr. Paul said committee on the part of the Senate.

After a short time Mr. Paul, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Reynolds Coal, Coke and Mining Company ;

An act to prohibit the sale of spirituous, vinous or malt

liquors, or mixtures of same, or any other intoxicating drink within a radius of two miles of Locust Grove Church, in Clinton county ;

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Olivet Church, near Garrettsburg, in Christian county ;

An act to prohibit the sale of spirituous, vinous or malt liquors within three miles of Hopewell Church, in Allen county, Kentucky ;

An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Newstead Presbyterian Church, in Christian county ;

An act to prevent the sale of spirituous or malt liquors within a radius of one and a half miles of the Beard Presbyterian Church, in Scott county ;

An act to incorporate the Merchants' and Traders' Bank of Georgetown ;

An act to establish an additional justice's district in Lincoln county—"Hubble ;"

An act to prevent stock from running at large on that portion of the Mt. Sterling and Winchester Turnpike Road lying in Montgomery county ;

An act to amend an act, entitled "An act to amend an act, entitled "An act to maintain a graded school in Hartford, and to provide for the erection of school buildings therein," approved April 1, 1886 ;

An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Macedonia Baptist Church, Grant county ;

An act to amend an act to create the office of treasurer in Ballard county, and regulate the fiscal affairs of said county, approved February 6, 1888 ;

An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company ;"

An act to amend an act, entitled "An act to incorporate the Paris Water Company," approved February 24, 1888 ;

An act to amend an act, approved May 6, 1880, entitled "An act to incorporate the Central Kentucky Lumber, Mining, Man-

ufacturing and Transportation Company, now known as the Kentucky Union Land Company."

And enrolled bills and resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky penitentiary," approved May 3d, 1880, and the several amendments thereto;

An act to prohibit the sale of spirituous, vinous and malt liquors in Garrard county;

An act to incorporate the Kentucky Southern Oil and Gas Company;

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12, 1870;

An act to amend an act, entitled "An act to incorporate the Georgetown Street Railway Company," approved May 1, 1888;

An act in relation to the town of Taylorsville;

An act to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1873;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway;"

Resolution authorizing the State Teachers' Association to occupy the Senate Chamber and House of Representatives for their June session, 1890;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Hays—

1. A bill for the relief of disabled firemen of this State.

On motion of Mr. Martin—

2. A bill to declare Pond river a navigable stream.

On motion of Mr. Hannah—

3. A bill to amend section 561 of the Civil Code of Practice.

On motion of same—

4. A bill to amend an act to incorporate the Ashland Water Supply Company, approved April 3, 1890.

On motion of Mr. Gates—

5. A bill to incorporate the Anchor Fuel and Light Company.

On motion of Mr. Kemp—

6. A bill to prohibit the manufacture or sale of spirituous, vinous or malt liquors within two miles of the Baptist Church in Hickory Grove, Graves county, Kentucky.

On motion of same—

7. A bill to repeal a bill empowering the municipalities of Campbell county to regulate the observance of Sunday.

On motion of Mr. English—

8. A bill to incorporate the St. Mathews Railway Company of Jefferson county.

On motion of Mr. Roberts—

9. A bill for the benefit of distilleries in the county of Madison.

On motion of Mr. Dickerson—

10. A bill to prohibit the sale of spirituous, vinous and malt liquors, and the mixture thereof, within one mile of Bethany Church, at Holbrook, in Grant county.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d; the Committee on Codes of Practice the 3d; the Committee on Courts of Justice the 4th; the Committee on Internal Improvements the 5th; the Committee on Religion and Morals the 6th, 7th and 10th; the Committee on Railroads the 8th, and the Committee on General Statutes the 9th.

And then the Senate adjourned.

FRIDAY, APRIL 11, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, entitled

An act requiring watchmen to be kept at certain crossings of highways by railroads in Fayette county, and fixing penalties for failure to comply with provisions of this act.

An act to amend an act, entitled "An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto," approved May 12, 1884, approved March 26, 1886.

An act declaring Buffalo creek, in Owsley county, a navigable stream.

An act declaring East Fork of Goose creek, in Clay county, a navigable stream.

An act to create the office of county treasurer of Harrison county.

An act to provide for the registration of voters in the city of Paducah, and repealing the act approved May 10, 1886.

An act for the benefit of the county court of Breckinridge county.

An act to increase the jurisdiction of magistrates in Walton Magisterial District, in Boone county.

An act to amend the charter of the Perryville and Mitchellsburg Turnpike Road Company.

An act to declare the Right-hand Fork of Greasy creek, in Johnson county, a navigable stream.

An act to enable the Ohio county Court to appropriate money to build a bridge across Rough river, between Ohio and Grayson counties.

An act to amend an act to charter the town of Arlington, in Ballard (now Carlisle) county, approved February 5, 1876.

An act to provide for the election of the board of commissioners for Boone county, by district, etc.

An act to incorporate the Grand Lodge of the Order of Adherents of the High Mogul, and to authorize the said lodge to grant charters to subordinate lodges of said order, and to organize a mutual benefit society.

An act to repeal an act for the benefit of Hamilton Magisterial District, in Boone county.

An act to incorporate the Liberty and Rolling Fork Turnpike Road Company, in Casey county.

An act to amend the Warsaw and Sparta Turnpike Company.

An act to charter the Liberty and Casey's Creek Turnpike Road Company, in Casey county.

An act to fix the time of holding and to regulate the civil jurisdiction of quarterly court of Allen county.

An act to authorize the successor of G. R. Bruner, deceased, a former justice of the peace of Breckinridge county, to sign all unsigned judgments rendered by said deceased justice.

An act to prevent bulls and boars from running at large in Breckinridge county.

An act to amend an act, entitled "An act to amend an act incorporating the Lancaster and Sugar Creek Turnpike Road Company.

An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount.

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of Mt. Zion Church and school-house, in Allen county, Kentucky.

An act to amend an act, entitled "An act to incorporate the town of Pellville, in Hancock county," approved February 25, 1870.

An act to incorporate the Beaver Lick and South Fork Turnpike Road Company, in Boone county.

An act to incorporate the Prestonsburg Street Railway Company.

An act for the benefit of the Springfield Turnpike Road Company and the Walton's Lick Turnpike Road Company, in Washington county.

An act to incorporate the Newton and Little Elkhorn Turnpike Company, in Scott county.

An act for the benefit of J. P. Pierce, late sheriff of Crittenden county.

An act for the benefit of E. C. Flanary, late sheriff of Crittenden county.

An act to declare Leatherwood creek, in Perry county, a navigable stream.

An act to declare Bull creek, in Leslie county, a navigable stream.

An act to regulate the working and laying out public roads in Clinton county, Kentucky.

An act to incorporate the Bagdad Printing and Publishing Company.

An act to amend the Blue Run and Anderson Ferry Turnpike Road Company, approved March 2, 1870.

An act to fund the present bonded indebtedness of the town of Russellville, Kentucky.

An act to amend an act, entitled "An act to promote the study of medicine and surgery in the city of Louisville," approved May 3, 1888.

An act for the benefit of A. Meahl, of Henderson county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend the charter of Beech Grove, McLean county,' " approved March 27, 1888.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Frankfort and Flat Creek Turnpike Road Company,' " approved February 15, 1869.

An act to amend the charter of the town of Horse Cave, in Hart county.

An act for the benefit of Muhlenburg county.

An act to incorporate the Nicholasville and Bethel Turnpike Road Company.

An act to amend the charter of the town of Alexandria, in Campbell county.

An act to amend an act, entitled "An act to establish a board of county commissioners for Jefferson county," approved April 6, 1888.

An act to provide for constructing, improving and maintaining public roads and bridges in Christian county.

An act to amend the charter of the town of Burgin, in Mercer county.

An act to repeal section 7 of an act, entitled "An act to charter the South Carrollton Male and Female Academy," approved February 23, 1874, and to place districts Nos. 12 and 19, referred to in said act, back into their original places as other common school districts in said county.

An act to incorporate the Edison Electric, Illuminating, Heating and Power Company of Newport, Kentucky.

An act changing the boundary and limits of the city of Owensboro, in Daviess county.

An act for the benefit of the town of Auburn.

An act to incorporate the East Fork Turnpike Road Company.

An act to authorize the county court of Bell county to issue bonds for the purpose of raising money to build a bridge across the Cumberland river, at Pineville.

An act to amend an act, entitled "An act to charter the Lowell and Spoonville Turnpike Road Company.

An act to amend the charter of the town of Nicholasville.

An act regulating the making, altering and repairing county roads of Marion county.

An act for the benefit of Lawrenceburg and Camdenville Turnpike Road Company No. 2, in Anderson county.

An act to amend section 9 of chapter 49 of an act, entitled "An act chartering the Graves county Banking and Trust Company," approved January 27, 1888.

An act to amend the charter of the town of Glasgow.

An act to authorize the county court of Mercer county to surrender and cancel its stock in the Harrodsburg and Chaplin River Turnpike Road Company from Dixville to Stuart's, and convert same into a county road ;

An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Greensburg," approved April 26, 1880.

An act to amend an act incorporating the town of Central City, Muhlenberg county.

An act to amend an act, entitled "An act to incorporate the Steele's Turnpike Road Company," approved March 28, 1872.

An act for cleaning out North Panther creek, in Daveiss county, Kentucky.

An act to amend an act, entitled "An act for the benefit of McCracken county, empowering it to issue bonds and levy and collect taxes to pay for same, for the purpose of refunding its bonds at a lower rate of interest.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Wickliffe, Cairo and Birds' Point Ferry Company."

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate the Newport Printing and Newspaper Company," approved April 8, 1878.

An act to fix the compensation of Commonwealth's attorneys.

An act to repeal an act, entitled "An act to incorporate the town of Clarkson, in Grayson county," approved May 1, 1888.

An act to amend an act, entitled "An act to incorporate the district of Clifton, in Campbell county," approved February 15, 1888.

An act to incorporate the Muhlenburg County Fair Company.

An act to amend an act, entitled "An act to incorporate the Louisville Public Warehouse Company.

An act to incorporate the Kentucky Woman's Monument Association.

An act to incorporate the Big Hill Mining and Investment Company.

An act to incorporate the Hillsboro Cemetery Company, of Fleming county.

An act to incorporate Iron Banks Lodge No. 802, Knights of Honor, Columbus, Kentucky.

An act to incorporate the Cross Land and Lumber Company.

An act in relation to Bath county subscription to Kentucky Midland Railway Company.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend chapter 94 of the General Statutes,' " approved Febraary 19, 1880.

An act concerning the St. Clair Street bridge in Frankfort, Kentucky.

An act to incorporate the Otter Creek Coal, Iron and Timber Company.

An act to incorporate the Kentucky Fair Association.

An act to amend an act, entitled "An act incorporating the Muhlenburg Coal Company," approved May 7, 1880.

An act to incorporate the Central Kentucky Guarantee and Trust Company.

An act to incorporate the Mitchellsburg and Rolling Fork turnpike road, in Boyle county.

An act to empower the trustees of Macedonia Church near Hanson, in Hopkins county, to sell the church lot and building and reinvest the proceeds in another house of worship.

An act to incorporate the Central Kentucky Mining, Manufacturing, Lumber and Real Estate Company.

An act to incorporate the Pineville Water Company of Bell county, Kentucky.

An act to incorporate the Daniel E. O'Sullivan Printing and Publishing Company.

An act to incorporate the Cumberland Contract Company.

That they had passed, with amendments thereto, bills which originated in the Senate of the following titles, viz :

1. An act to incorporate the Paragon Electric Company.
2. An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company," approved February 22, 1860.

3. An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Earlington," approved March 10, 1886.

4. An act to incorporate the Union Investment Company.

Said bills, together with the amendments thereto, were referred—the 1st, 2d and 3d to the Committee on Internal Improvements, and the 4th to the Committee on Banks and Insurance.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Fall Branch Jellico Coal Company.

2. An act to incorporate the Kinmore Coal and Coke Company.

3. An act relating to water-works and electric lights in the town of Russellville, Kentucky.

4. An act to incorporate the Kentucky Baptist Historical Society.

5. An act to incorporate the Winchester Tobacco Company.

6. An act to amend an act, entitled "An act to incorporate the Richmond Hotel Company," approved April 5, 1888.

7. An act to incorporate St. Leon Lodge, No. 69, Knights of Pythias, Scottsville, Kentucky.

8. An act to incorporate Graham Lodge, No. 208, of Ancient York Masons, located in Scottsville, Allen county.

9. An act to incorporate Miles Lodge, No. 341, Free and Accepted Masons.

10. An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution."

11. An act to amend the charter of the Frankfort Coal and Iron, Mining, Oil, Salt and Timber Company.

12. An act to amend an act, entitled "An act incorporating the German Savings and Homestead Fund Company."

13. An act to repeal an act, entitled "An act to incorporate the Metropolis and Kentucky Bridge Company," approved March 15, 1869, and to re-enact and amend an act to incorporate the Metropolis and Kentucky Bridge Company, approved March 15, 1869, and to re-enact and amend an act to incorporate the Metropolis and Kentucky Bridge Company.

14. An act to incorporate the Dean Field's Coal Mining Coke Company.

15. An act to incorporate the Colored Cemetery Company of Nicholasville, Kentucky.

16. An act to incorporate the Yellow Creek Investment Company.

17. An act to incorporate the Middlesborough City Transfer Company.

18. An act to incorporate the Bell County Abstract and Loan Association.

19. An act to incorporate the Workingmen's Building and Loan Association.

20. An act to incorporate the Citizens' Home and Loan Association of Lexington, Kentucky.

21. An act to prohibit the sale of spirituous, vinous and malt liquors in Knott.

22. An act to amend chapter 923 of the Acts of the General Assembly of Kentucky, approved April 7, 1888, entitled "An act to incorporate the town of Springville, in Greenup county.

23. An act for the benefit of Greenup county.

24. An act to incorporate the Shepherdsville and Pitt's Point Turnpike Road Company.

25. An act to incorporate the town of Shiloh, in Calloway.

26. An act to incorporate the Garfield Building and Loan Association.

27. An act to incorporate the Mutual Savings Bank of Hickman, Kentucky.

28. An act to authorize Whitley County Court to build bridges in Whitley county and raise funds therefor.

29. An act to provide for a system of sewerage in the city of Paducah.

30. An act to incorporate the Rowena Lodge No. 41, Knights of Pythias, in the town of Harrodsburg, Mercer county, Kentucky.

31. An act in relation to the moving of traction and portable engines over and along the roads and passways of this State.

32. An act to incorporate the Kentucky Capitalization Company.

33. An act to incorporate the Equality Union Cornet Band Company.

34. An act to incorporate Gray Lodge, No. 27, Knights of Pythias, of Versailles.

35. An act to incorporate the Midway Hotel Company.

36. An act to incorporate the West End Mutual Investment Company.

37. An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Salem Baptist Church, in Christian county.

38. An act to amend an act incorporating the Dutch Tract Cemetery Company, at Pleasureville, Henry county, approved March 5, 1879, and amendment approved 14th March, 1871.

39. An act authorizing the levying and collecting of an ad valorem, special and poll-tax for the benefit of the public roads in Fulton county.

40. An act to incorporate the Bank of Hazel Green, at Hazel Green, Kentucky.

41. An act to incorporate the Deposit Bank of Stanton, Powell county.

42. An act to incorporate the Farmers' and Laborers' Union Exchange of Calloway.

43. An act to incorporate the town of Big Clifty, in the county of Grayson.

44. An act to incorporate the town of Jellico, in Whitley county.

45. An act to further amend the charter of the city of Covington in respect to supplying water for the citizens of said city and others.

46. An act to amend the charter of the town of California, in the county of Campbell.

47. An act to amend an act, entitled "An act for the benefit of common school districts Nos. 14, 18 and 23, in Fulton county."

48. An act to repeal an act to repeal an act to regulate the advertisement of judicial sales of land in Hardin and Grayson counties, approved April 8, 1884, in so far as it relates and applies to Hardin county, approved April 20, 1888, and to reenact the same, and make it apply to Hardin county.

49. An act to incorporate the Peoples Trust and Safety Vault of Jessamine county.

50. An act to incorporate the Jessamine Safety Vault and Trust Company.

51. An act for the benefit of Common School District No. 75, in Lewis county.

52. An act to authorize the closing of public offices in the city of Louisville and the county of Jefferson, on Saturday afternoon from May 1st to October 1st, both exclusive.

53. An act to incorporate the Muhlenburg Oil, Gas and Mining Company.

54. An act to amend the charter of the town of West Covington.

55. An act to incorporate the Lexington and Richmond Railway Company.

56. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof in the town of Danville, Boyle county, or within two miles of the limits thereof," approved April 19, 1886.

57. An act to further amend the charter of the city of Covington.

58. An act to further regulate municipal elections in the city of Covington.

59. An act to provide for a registration of voters in the city of Covington.

60. An act to incorporate the Sodowski Lake Association.

61. An act to amend the charter of the city of Ludlow, and procure a water supply for said city and its inhabitants.

62. An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town.

63. An act to incorporate the Mt. Sterling Water-works Company.

64. An act to change the name and approve and amend the charter of the W. T. Pyne Mill and Supply Company, of Louisville, Kentucky.

65. An act to incorporate the Georgetown Safety Vault and Trust Company.

66. An act to declare Beaver creek, in Floyd county, navigable for push-boats, and to provide for the improvement of the same and the removal of mill-dams across said stream, and for compensation to the owners of same.

67. An act to incorporate the Masonic Temple Company, of Richmond, Kentucky.

68. An act to incorporate the Cane Ridge and Rogers' Creek Turnpike Company, in Bourbon county.

69. An act to incorporate the Eloisa Bridge Company of Lawrence county.

70. An act concerning the Bourbon County Court of Claims.

71. An act for the benefit of Edward W. Wilson, of Bourbon county.

72. An act concerning the Bourbon County Agricultural Association.

73. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads," approved April 3, 1870.

74. An act to amend an act creating the office of jailer in the county of Campbell.

75. An act to incorporate the town of Salem, in Livingston county, Kentucky.

76. An act to amend the charter of the town of Springfield.

77. An act to incorporate the Big Sandy Bank of Catlettsburg, Kentucky, in Boyd county.

78. An act to establish a public graded school at the mouth of Beaver, in Floyd county.

79. An act to amend an act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county," approved February 6, 1873.

80. An act for the benefit of William Whitlow.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 14th, 17th, 22d, 23d, 24th, 28th, 35th, 44th, 53d and 60th to the Committee on Internal Improvements; the 3d, 7th, 8th, 9th, 43d and 65th to the Committee on General Statutes; the 4th, 15th, 21st, 34th, 37th, 56th and 62d to the Committee on Religion and Morals; the 5th, 13th, 29th, 42d, 63d, 68th and 72d to the Committee on Agriculture and Manufactures; the 6th, 39th and 67th to the Committee on Library, Public Buildings and Offices; the 10th, 12th, 16th, 19th, 20th, 26th, 27th, 32d, 36th, 40th, 41st, 49th, 50th and 77th to the Committee on Banks and Insurance; the 11th and 38th to the Committee on Public Expenditures; the 18th, 25th, 30th, 71st, 75th, 79th and 80th to the Committee on the Judiciary; the 31st, 33d and 66th to the Committee on Propositions and Grievances; the 45th, 52d, 54th, 57th, 58th, 59th, 61st, 64th, 69th, 70th and 76th to the Committee on Courts of Justice; the 46th and 74th to the Committee on Immigration and

Labor; the 47th, 51st and 78th to the Committee on Education; the 48th to the Committee on Printing; the 55th to the Committee on Railroads,

And the 73th named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in House of Representatives, entitled

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company,

Which was granted.

Whereupon the Speaker appointed Mr. Gates said committee on the part of the Senate.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to change the boundary line between Washington, Anderson and Mercer counties,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, That portion of Washington county that is, by the provisions of this act, detached from Washington county and made part of Anderson and Mercer counties, is twenty-five miles or more from Springfield, the county seat of Washington county, and is within fifteen miles of Lawrenceburg and Harrodsburg, the county seats of Anderson and Mercer counties; and whereas, a majority of the citizens residing in said detached portions of Washington county have petitioned the General Assembly to pass an act to change the boundary lines of said counties as hereinafter provided; and whereas, notice of such proposed change of county lines was published for more than two months prior to the meeting of the present Legislature as required by law; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the boundary line between Washington

county and Anderson county be, and the same is hereby, changed, and shall hereafter be as follows, to-wit: Beginning at the corner of Nelson and Anderson counties, in the Washington county line as now established; thence in a southeastern direction to the center of Beaver creek, where the turnpike crosses same; thence with the turnpike as it meanders to the center of Sulphur creek; thence up Sulphur creek as it meanders to a point directly north of the junction of the turnpikes leading to Dugansville and Duncansville in Mercer county, near the residence of Henry Graham.

§ 2. That the boundary line between Washington and Mercer counties be changed, at the points herein indicated, and at such points shall be as follows, to-wit: Beginning at a point on Sulphur creek, directly north of the said junction of said turnpike roads; thence a straight line to the junction of said turnpike roads in the center of said roads; thence with the turnpike leading to Duncansville, as it meanders to where the same crosses the Washington and Mercer county lines as now established.

§ 3. That the boundary or division line between Anderson and Mercer counties, across that portion of Washington county hereby detached, shall be as follows: Beginning at the point in Sulphur creek, north from the junction of the turnpikes leading to Dugansville and Duncansville as aforesaid; thence up the center of Sulphur creek as it meanders to Cheese Lick; thence up Cheese Lick to the Anderson county line, at or near the corner to Mercer county as now established.

§ 4. That the portion of Washington county as hereby detached by changing the line between said counties as aforesaid: That is, beginning at the corner of Anderson and Nelson counties; thence to the pike crossing Beaver creek; thence with the pike to Sulphur creek to Cheese Lick creek; thence up Cheese Lick to the Mercer or Anderson county line shall hereafter constitute and form a portion of Anderson county; the remainder of the detached portion of Washington county shall hereafter be and constitute a part of Mercer county.

§ 5. That the boundary lines as herein indicated shall be surveyed by courses and distances, and the lines and corners marked by fixed visible objects within sixty days after the passage of this act by the surveyor of Washington county, and a copy of such survey be filed with the county court clerk of Washington, Anderson and Mercer counties, and to be recorded in their respective offices.

§ 6. That neither Anderson county nor Mercer county shall be liable for any part of the cost of such survey.

§ 7. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 8. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lindsay and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	R. G. Hays,	John P. Newman,
Ben F. Bradley,	J. B. Hannah,	Chas. Patteson,
R. J. Breckinridge,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	John R. Kemp,	J. M. Pieratt,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	D. W. Wright—22
T. L. Glenn,		

Those who voted in the negative, were—

Reuben Conner,	William Lindsay,	J. J. Paul,
J. P. Huff,	James H. Mulligan,	Phil Roberts—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following title, viz :

An act to incorporate the Mt. Sterling Safety Vault and Trust Company ;

An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents in the counties of Ballard or Carlisle ;

An act to incorporate the Farmers' Bank of Beattyville ;

An act to amend an act, entitled "An act to incorporate the Bank of Henderson," approved March 8, 1888 ;

An act to repeal an act, entitled "An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Hopkins county," approved April 15, 1884 ;

An act to incorporate the Beattyville Trust Company ;

An act to amend article 1 of chapter 47 of the General Statutes, entitled "Gaming ;"

An act to amend an act which was approved April 26, 1886, amending the charter of Williamstown ;

An act to empower the county court of McCracken county to buy stock in the gravel roads in said county, and to issue bonds to pay for same ;

An act to incorporate the Cooper Mining and Manufacturing Company ;

An act to repeal an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Spencer county," approved April 14, 1886 ;

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Bullitt county," approved March , 1871, and all amendments thereto ;

An act to amend an act, entitled "An act to incorporate the Louisville Car Trust Company ;"

An act amending an act concerning the subscription to turnpikes in Harrison county, and compelling all turnpikes to be out of debt when the county subscription is paid hereafter ;

An act to incorporate the Bank of Stanford, Kentucky ;

An act to incorporate the Patterson Literary Society of the Agricultural and Mechanical College ;

An act to incorporate the Deposit Bank of Sadieville ;

An act to amend an act, entitled "An act to incorporate American Eagle Lodge, No. 130, I. O. O. F.," passed January 25, 1854 ;

An act to incorporate the Henderson Savings Bank of Henderson ;

An act changing the boundary line between justices districts Nos. 2 and 3 of Meade county, and to change the voting place in district No. 2 from Meadeville to Geston ;

An act to change the time of holding elections for, and commencement of term of office of, justices of the peace and constables in the counties of Breathitt and Morgan ;

An act to amend an act, entitled "An act to incorporate the Sugar Creek and Watts' Mill Turnpike Road Company ;"

An act for the benefit of John W. Caseldine, late sheriff of Henry county ;

An act to prohibit the sale and manufacture of spirituous, malt or vinous liquors, or any mixture of either, in common school district No. 14, in Barren county ;

An act to charter the Mortonville and Clear Creek Turnpike Road Company, in Woodford county ;

An act to authorize the board of trustees of the town of Falmouth to issue bonds for the purpose of refunding the bonded indebtedness of said town ;

An act to amend article 1, chapter 94, General Statutes, title "Roads and Passways," and to establish road tax districts, and authorize the levy of a district road tax in certain counties of this Commonwealth ;

An act to incorporate the Greensburg, Summersville and Caney Fork Turnpike and Bridge Company, in Green county, Kentucky ;

An act to prevent the sale of spirituous, vinous and malt liquors within a radius of two miles of the Smithsonville school-house, in Harrison county ;

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawaba Baptist Church, in Pendleton county ;

An act to amend an act, entitled "An act to incorporate the town of Briansburg, in Marshall county ;"

An act to incorporate the Colored Cemetery Company of North Middletown, in Bourbon county ;

An act to amend an act, entitled "An act to incorporate the Louisville Steam Motor Power Company ;"

An act to incorporate the Platt-deutschen Schuetzen Gesellschaft, of Louisville ;

An act to amend an act, entitled "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1881 ;

An act to amend an act in relation to the charter of Tyrone, in Anderson county, approved April 24, 1884 ;

An act to amend an act to incorporate the town of Bardwell, in Ballard, now in Carlisle, county ;

An act to authorize the Bourbon County Court to appropriate money for the construction of an iron bridge over Huston creek, on Walnut street, in the city of Paris ;

An act to amend an act, entitled "An act to incorporate the Lexington Charity Organization Society ;"

An act to regulate the right of voting in precinct of Hickory Grove, in Graves county ;

An act for the benefit of common school district No. 9, in Lincoln county ;

An act to incorporate the town of Walton, in Boone county ;
And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the city of Louisville, regarding the pensioning disabled firemen and policemen ;

An act to amend the charter of the city of Louisville and directory to the board of commissioners of public charities of said city :

An act to charter the Monticello Banking Company ;

An act to amend the charter of the incorporated district of Highlands, in Campbell county ;

An act to amend an act, entitled "An act to amend the charter of the city of Louisville," approved March 31, 1886 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Lindsay was appointed a committee to withdraw from the House of Representatives the announcement of the passage with an amendment by the Senate, of a bill, which originated in the House of Representatives, entitled

An act prohibiting the charging of certain persons toll on turnpike roads in Woodford county, Kentucky.

After a short time, Mr. Lindsay, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Lindsay moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Lindsay proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Poyntz was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill with an amendment thereto, which originated in the House of Representatives, entitled

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

After a short time, Mr. Poyntz, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, approved February 9, 1886, and entitled "An act to amend an act, entitled 'An act to incorporate the Covington and Cincinnati Pier Bridge Company,' " passed April 4, 1884.

An act to regulate bridges spanning the Ohio river from points within the county of Kenton, and tolls on the same.

An act to amend an act, entitled "An act incorporating the Covington and Cincinnati Bridge Company," approved February 10, 1846.

An act to incorporate Trimble Lodge No. 77, I. O. O. F.

An act to incorporate the Flemingsburg Graded High School of Flemingsburg, Kentucky.

An act to incorporate the Eclectic Medical Society of the State of Kentucky.

An act to amend the charter of the city of Somerset.

An act to incorporate the Winchester Street Railway Company.

An act to allow the Auditor of Public Accounts \$2,700 per annum as an additional appropriation for clerk hire.

A message was received from the House of Representatives, asking the withdrawal of the announcement of their passage, with an amendment thereto, of a bill, which originated in the Senate, entitled

An act to amend the charter of the Shelby County Trust Company,

Which was granted, and said bill was delivered to the messenger.

Mr. Paul, from the joint committee heretofore appointed to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the city of Pineville, in Bell county,

Reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Paul moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Paul proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Terry read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That when this General Assembly adjourns on Wednesday, the 30th day of April, 1890, at 12 o'clock M., that the adjournment shall be "*sine die*."

2. This resolution shall take effect from and after its adoption.

Which, under the rules, lies one day on the table.

On motion of Mr. Terry, the rules were suspended, and said resolution was taken up for consideration.

Mr. Breckinridge moved to amend said resolution by striking out the 30th of April, and insert in lieu thereof the 25th of April.

There being no objection, Mr. Terry accepted said amendment.

Mr. Newman moved to amend said resolution by striking out the 25th April, and insert in lieu thereof the 28th April.

Mr. Peterman moved to amend said resolution by striking out the 25th April, and insert in lieu thereof the 5th of May.

Mr. Bradley moved to amend said resolution by striking out the 25th of April, and insert in lieu thereof the 10th of May.

And the question being taken on the adoption of the amendment proposed by Mr. Bradley, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Paul, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. W. McCain,
Ben F. Bradley,	T. L. Glenn,	Chas. Patteson,
R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	J. P. Huff,	A. L. Peterman,
F. W. Darby,	William Lindsay,	J. M. Pieratt—17.
Sam E. English,	D. L. May,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	James H. Mulligan,	D. H. Smith,
William Goebel,	John McCann,	G. Terry,
John R. Kemp,	John P. Newman,	D. W. Wright—15.

Mr. Newman moved to lay said resolution, as amended, on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	James H. Mulligan,	John P. Newman,
W. W. Dickerson,	John McCann,	Phil Roberts—7.
R. G. Hays,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	D. L. May,
W. F. Berry,	William Goebel,	Chas. Patteson,
R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	John K. Hendrick,	A. L. Peterman,
Reuben Conner,	J. P. Huff,	J. M. Pieratt,
F. W. Darby,	John R. Kemp,	Chas. B. Poyntz,
Sam E. English,	William Lindsay,	D. H. Smith,
G. W. Gates,	J. W. Martin,	G. Terry—24.

Mr. Glenn moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
W. F. Berry,	R. G. Hays,	Chas. Patteson,
R. J. Breckinridge,	J. B. Hannah,	J. J. Paul,
B. F. Cockrell,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	J. M. Pieratt,
Sam E. English,	William Lindsay,	Phil Roberts,
G. W. Gates,	D. L. May,	D. H. Smith—21.

Those who voted in the negative, were—

Ben F. Bradley,	J. H. Lunsford,	John P. Newman,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
William Goebel,	James H. Mulligan,	G. Terry,
John K. Hendrick,	John McCann,	D. W. Wright—12.

Resolved, That the title of said resolution be as aforesaid.

Leave was granted to bring in the following bills :

On motion of Mr. Paul—

1. A bill, entitled "An act to amend an act, entitled 'An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company.'"

On motion of Mr. Gates—

2. A bill to provide for the registration of voters in the city of Owensboro.

On motion of same—

3. A bill to establish an additional voting place in district No. 7, in Daveiss county.

On motion of Mr. Lindsay—

4. A bill for the benefit of Hezekiah Ellis.

On motion of Mr. Patteson—

5. A bill to incorporate the Taylor Academy in Taylor county.

Ordered, That the Committee on Railroads prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 3d; the Committee on Claims the 4th, and the Committee on Education the 5th.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Smith, from the Committee on Executive Affairs—

An act to amend an act, entitled “An act to organize and establish a system of public graded schools in Carlisle.”

By same—

An act to prevent the keeping of certain places and setting up certain games in the city of Carlisle, and to repeal part of an act to establish a city government for Carlisle.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Leitchfield, Big Spring and Northern Railway Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Gates, from the Committee on Courts of Justice—

An act to incorporate the town of West Louisville, in Daveiss county.

By same—

An act to incorporate the town of Yelvington, in Daveiss county.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to amend the charter of the city of Augusta, and exempt certain property from taxation for city purposes.

By Mr. Darby, from the Committee on Codes of Practice—

An act to change the time of holding the circuit court of Jackson and Laurel counties.

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company,” and the amendments thereto.

By same—

An act to incorporate the Central Electric Company.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled “An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission,” approved March 8, 1876.

Mr. Anderson proposed sundry amendments to said bill.

Mr. Wortham proposed an amendment to said bill as a substitute therefor.

Mr. Lindsay proposed sundry amendments to said bill.

Mr. Breckinridge moved that the session of the Senate be extended until the bill under consideration was disposed of.

Mr. Peterman moved that when the Senate adjourns, that it be until Monday, April 14, at 3 o'clock P. M.

Mr. May moved that when the Senate adjourns, that it be until Tuesday, April 15th, at 4 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Mulligan, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Dickerson,	R. G. Hays,	John P. Newman,
Sam E. Engilsh,	J. W. Martin,	Chas. Patteson,
G. W. Gates,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	James H. Mulligan,	Phil Roberts,
William Goebel,	John McCann,	D. H. Smith—15.

Those who voted in the negative, were.

W. H. Anderson,	F. W. Darby,	J. H. Lunsford,
W. F. Berry,	J. B. Hannah,	Chas. Patteson,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
B. F. Cockrell,	John R. Kemp,	G. Terry—17.
Reuben Conner,	William Lindsay,	

Mr. Smith moved that when the Senate adjourns, that it be until Tuesday, April 15th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lunsford and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	Chas. Patteson,
F. W. Darby,	J. B. Hannah,	J. J. Paul,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	Phil Roberts,
G. W. Gates,	James H. Mulligan,	D. H. Smith—20.
T. L. Glenn,	John McCann,	

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. W. McCain,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	G. Terry—13.
John K. Hendrick,		

Mr. Smith moved to reconsider the vote by which the Senate

had fixed Tuesday, April 15th, at 3 o'clock P. M., to which it would adjourn.

Mr. Smith moved to lay that motion on the table.

Mr. Lindsay moved that a call of the Senate be had.

Mr. Mulligan moved to lay that motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	Chas. Patteson,
W. W. Dickerson,	J. P. Huff,	A. L. Peterman,
Sam E. English,	D. L. May,	C. B. Poyntz,
G. W. Gates,	James H. Mulligan,	Phil Roberts,
T. L. Glenn,	John McCann,	D. H. Smith—17.
William Goebel,	Jno. P. Newman,	

Those who voted in the negative, were.

W. H. Anderson,	Reuben Conner,	J. H. Lunsford,
Ben F. Bradley,	J. B. Hannah,	J. W. Martin,
R. J. Breckinridge,	John K. Hendrick,	J. W. McCain,
B. F. Cockrell,	John R. Kemp,	J. J. Paul,
F. W. Darby,	William Lindsay,	G. Terry—15.

Pending the further consideration of said motion, the hour of 1 o'clock P. M. having arrived, the Senate then adjourned.

SATURDAY, APRIL 12, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Covington Trust Company.

An act to recharter the town of Mt. Vernon, in Rockcastle county.

That they had concurred in the adoption of resolutions and passed a bill, which originated in the Senate, of the following titles, viz:

Resolution providing for the loan of guns belonging to the State to certain persons and organizations.

Resolution allowing mileage to the Speaker of the Senate.

An act to amend the charter of the Shelby County Trust Company.

That they had passed bills of the following titles, viz:

1. An act to amend the charter of the town of Danville.
2. An act to regulate the employment of guards to convey prisoners from one county to another in this Commonwealth.
3. An act for the benefit of Mary Gibson, guardian of S. Cochran's heirs.
4. An act to amend an act to incorporate the Cumberland Railroad Company.
5. An act to incorporate the Nelson County Trust Company.
6. An act for the benefit of the Paducah Jockey Club and Fair Association, at Paducah, Kentucky.
7. An act to incorporate the Harris Seller Banking Company of Versailles:

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on General Statutes; the 2d to the Committee on the Judiciary; the 3d to

the Committee on Claims; the 4th to the Committee on Railroads; the 5th to the Committee on Banks and Insurance; the 6th to the Committee on Agriculture and Manufactures, and the 7th to the Committee on Propositions and Grievances.

Mr. Wright moved the following resolution, viz :

Resolved, That a call of the committees be had on this day, and that there shall be no suspension for any cause, except motions to adjourn, and to fix the time to which the Senate shall adjourn.

Which was twice read and adopted.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to regulate the size of coal screens within this Commonwealth,

Reported the same, without amendment.

On motion of Mr. Breckinridge—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and recommitted to the Committee on General Statutes.

Mr. McCann, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 29, General Statutes, entitled "Crimes and Punishments,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, That chapter 29 of the General Statutes, entitled "Crimes and Punishments," be, and the same is, amended by adding thereto the following sections :

§ 1. That whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates, or cruelly kills, or causes or procures to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated, or cruelly killed, any animal; and whoever, having the charge or custody of any animal, either as owner or otherwise, inflicts needless cruelty

upon the same, or cruelly and unnecessarily fails to provide the same with proper food, drink, shelter, or protection from the weather, shall be adjudged guilty of a misdemeanor, and, upon conviction thereof, shall be liable to fine and imprisonment as provided in section 7 of this act.

§ 2. Any person who shall keep or use any animal for the purpose of fighting or baiting, or as a target, or to be shot at, either for amusement or as a test of skill in marksmanship; and any person who shall be a party to or be present as a spectator at any such fighting, baiting or shooting of any animal; and any person who shall rent any building, shed, room, yard, ground, or premises for the purpose of fighting, baiting or shooting any animal as aforesaid, or shall knowingly suffer or permit the use of any building, shed, room, yard, ground, or premises belonging to him or under his control, for either or any of the purposes aforesaid, shall be adjudged guilty of a misdemeanor, and, upon conviction thereof, shall be liable to fine and imprisonment as provided in section 7 of this act.

§ 3. Every owner, possessor, or person having the charge or custody of any animal, who cruelly drives or works the same when unfit for labor, or who shall carry or cause to be carried upon any vehicle, or otherwise, any living animal having the feet or legs tied together, or in other cruel and inhuman manner, or shall abandon any maimed, sick, infirm, or disabled animal to die in any public place, or who shall carry or cause to be carried any live animal upon any vehicle, or otherwise, without providing suitable racks, cars, crates, or cages during transportation and whilst awaiting slaughter, such person shall, upon conviction, thereof, be adjudged guilty of a misdemeanor, and shall be punished for every such offense as provided in section 7 of this act.

§ 4. When complaint is made on oath or affirmation to any magistrate or other person authorized to issue warrants in criminal cases, that the complainant believes that any of the provisions of this act are being, or are about to be, violated in any particular building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue and deliver a search warrant to any sheriff, deputy sheriff, constable, or public officer, authorizing him to search such building or place, and to arrest any person or persons engaged in violating any of the provisions of this act, as well as any person or persons there present and aiding or abetting therein, and to bring such person or persons before some magistrate of competent jurisdiction, to be dealt with according to law. Such officer shall, at the same time, seize and bring to said magistrate every article or instrument found in said building or place especially designed or adapted to inflict wounds on any animal, or to aid in the fighting or baiting of any animal, and unless, in ten days after the trial of the person or persons so arrested, the owner of said article or instrument shall show, to the satisfaction of said

magistrate, that the same is not designed or adapted to the wounding or torture of animals, or, if so designed or adapted, is not intended to be used or employed for such purpose, the magistrate shall destroy such article or instrument.

§ 5. Any sheriff, constable, marshal, policeman, or agent of any society for the prevention of cruelty to animals, may kill or cause to be killed any animal found neglected or abandoned, and which, in the opinion of three reputable citizens, is injured or diseased past recovery, or by age has become useless.

§ 6. In this act the word "animal" or "animals" shall be held to include all brute creatures and all domestic fowls, and the words "owner," "person" and "whoever" shall be held to include corporations as well as individuals, and the knowledge and acts of agents and of persons employed by or held in custody of such corporations, shall be held to be the acts and knowledge of such corporations.

§ 7. Any person violating any provision of sections 1, 2 or 3 of this act shall be fined in any sum not more than two hundred dollars, to which may be added imprisonment not exceeding sixty days.

§ 8. That all fines collected under section 1 of article 18 of the General Statutes, or under any of the laws for the prevention of cruelty to animals, if collected in Jefferson county, shall be paid to the Kentucky Humane Society for the Prevention of Cruelty, and if collected out of said Jefferson county and in any county of this Commonwealth, the same shall be paid to any branch or auxiliary of said Kentucky Humane Society for the Prevention of Cruelty, resident of said county, or to any duly incorporated society for the prevention of cruelty to animals of said county. But any such society instituting any such prosecution shall be entitled to receive all fines collected from such prosecution.

§ 9. All laws and parts of laws coming in conflict with the provisions of this act are hereby repealed.

§ 10. This act shall take effect and be in force from and after its passage.

Mr. Breckinridge moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and English, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	John K. Hendrick,	J. W. McCain,
R. J. Breckinridge,	J. W. Martin,	Phil Roberts,
Reuben Conner,	D. L. May,	G. Terry—10.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
B. F. Cockrell,	J. B. Hannah,	John P. Newman,
F. W. Darby,	J. P. Huff,	D. W. Wright—11.
Sam E. English,	John R. Kemp,	

Mr. Breckinridge moved to postpone the further consideration of said bill indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Newman, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. W. Martin,	J. M. Pieratt,
R. J. Breckinridge,	D. L. May,	Phil. Roberts,
Reuben Conner,	J. W. McCain,	G. Terry—10.
John K. Hendrick,		

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
B. F. Cockrell,	J. P. Huff,	John P. Newman,
F. W. Darby,	John R. Kemp,	A. L. Peterman,
Sam E. English,	William Lindsay,	D. W. Wright—14.
R. G. Hays,	J. H. Lunsford,	

Mr. Peterman moved that when the Senate adjourn, it be to meet on Tuesday next, April 15th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	J. P. Huff,	Phil Roberts,
F. W. Darby,	J. W. Martin,	D. W. Wright—14.
Sam E. English,	D. L. May,	

Those who voted in the negative, were—

W. H. Anderson,	William Lindsay,	J. W. McCain,
Reuben Conner,	J. H. Lunsford,	G. Terry—7.
John R. Kemp,		

Mr. Newman moved to reconsider the vote by which the Senate adopted the motion made by Mr. Peterman, that when the Senate adjourns it be to meet on Tuesday next, April 15th, at 3 o'clock P. M.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved that the bill under consideration be recommitted to the Committee on General Statutes, with directions to report the same on Friday next, April 18th.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wright, from the Committee on General Statutes, to whom was recommitted bills, which originated in the Senate of the following titles, viz :

An act to establish the fish and game warden system in the State of Kentucky, and creating the office of State Fish and Game Warden, defining his powers and duties, and conferring upon him the right to appoint county fish and game wardens, defining their powers and duties, and giving to the county wardens the right to appoint deputy county wardens, and defining their powers and duties ;

An act for the protection of fish in the waters of the State of Kentucky :

An act to amend chapter 46, General Statutes, title "Game and Small Birds," and the Acts supplementary and amendatory thereto,

Reported the same without amendment.

On motion of Mr. Bradley—

Ordered, That the further consideration of said bills be postponed, and that said bills be made the special orders of the day for Thursday next, April 17th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was recommitted bills, which originated in the Senate, of the following titles, viz :

An act to create the office of Inspector of Banks and Trust Companies, and to provide for the appointment of said inspector and define his powers and duties ;

An act creating and establishing the office of State Bank Examiner, and prescribing his duties and defining his powers,

Reported the same, with an amendment thereto as a substitute therefor.

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bills be postponed, and that said proposed substitute be printed, and that said bills be made the special order of the day for Wednesday next, April 16th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Lunsford, from the Committee on Railroads, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the Paducah, Southern and Jackson Railroad Company,

Reported the same, without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the the same, viz :

By Mr. McCann, from the Committee on General Statutes—

An act to amend an act, entitled “An act to incorporate the Central Transfer Company,” approved April 16, 1884.

By Mr. Wright, from the same committee—

An act to amend an act, entitled “An act to amend the charter of the city of Covington,” approved March 21, 1890.

By Mr. English, from the Committee on Internal Improvements—

An act in relation to roads and bridges in McLean county.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to authorize the county court of Boyle county to purchase or lease turnpike roads in said county, or contract with turnpike road companies in relation to tolls, and provide for condemning turnpike roads for public use.

By same—

An act to amend an act, entitled “An act to incorporate the Kentucky Household Gas Supply Company, and to change the name to the Kentucky Fuel Gas Company.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act authorizing the clerk of the Hardin County Court to grant and issue license for stud-horses in certain cases for the year 1889.

By Mr. Roberts, from the same committee—

An act to incorporate the Barnes’ Mill and Schooler Turnpike Road Company, in Madison county.

By same—

An act to incorporate the Prestonsburg and Big Sandy River Bridge Company.

By same—

An act to incorporate the Pikeville and Big Sandy River Bridge Company.

By same—

An act to incorporate the Prestonsburg Hotel Company.

By Mr. Kemp, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Charleston, Kentucky and Western Railway Company,” approved May 15, 1886.

By Mr. McCain, from the same committee—

An act to incorporate the People’s Electric Railway Company, of Campbell county.

By same—

An act to amend the charter of the Louisville and Nashville Railroad Company, approved March 5, 1850.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Terry, from the Committee on General Statutes—

An act to charter the Franklin Woolen Mill Company.

By same—

An act to amend article 13, section 7, chapter 28, General Statutes, title "Courts."

By Mr. McCann, from the same committee—

An act to amend an act, entitled "An act to provide for and regulate the ventilation of coal mines in this State, and for the better protection of miners," approved May 10, 1884, and also to amend an act amendatory of said act, approved April 6, 1888.

By Mr. Wright, from the same committee—

An act relating to water works and electric lights in the town of Russellville, Kentucky.

By same—

An act to incorporate St. Leon Lodge No. 69, Knights of Pythias, Scottsville, Kentucky.

By same—

An act to incorporate Miles Lodge No. 341, Free and Accepted Masons.

By same—

An act to incorporate the town of Big Clifty, in the county of Grayson.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend an act, entitled "An act to incorporate the town of Rosine, in Ohio county, Kentucky," approved March 16, 1878.

By same—

An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands or devices covering the products of such labor of associations or unions of workmen or women.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Woodford Hotel Company," approved March 10, 1869.

By same—

An act to incorporate the National Contract and Construction Company.

By same—

An act to incorporate the Schaefer Brewing Company.

By same—

An act in relation to roads and bridges in Ohio county.

By same—

An act to incorporate the Bohon and Hopewell Turnpike Company.

By same—

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

By same—

An act to incorporate the Bethlehem and Bryant Station Extension Turnpike Company.

By same—

An act to incorporate the Olive Branch Club.

By same—

An act to incorporate the Falls City Running and Trotting Club, in Jefferson county.

By same—

An act to incorporate the Jackson Bridge Company.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all the acts incorporating the Masonic Savings Institution.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to extend the corporate limits of the city of Richmond.

By same—

An act to amend an act to incorporate the town of Fancy Farm, in Graves county, approved April 1, 1880.

By same—

An act to provide for holding an election to take the sense of the voters of Canton precinct in Trigg county, as to the regulation of the liquor traffic or its prohibition therein.

By same—

An act relating to depositions taken to be read in the McCracken Court of Common Pleas.

By same—

An act to incorporate the town of Willard, in Carter county.

By same—

An act to incorporate the town of Mt. Savage, in Carter county.

By same—

An act to amend an act, entitled "An act to repeal an act, entitled 'An act to authorize the people of Lincoln county to vote on prohibiting the sale of liquors in said county ;'" said county to vote on said repeal by striking out the word repealed in first section, and insert in lieu thereof the word suspended.

By same—

An act for the benefit of W. B. Edwards, late Clerk of the Hart Circuit Court.

By same—

An act to change the time of holding the Lincoln County Court from first Monday in each month to the second Monday.

By same—

An act to amend the charter of the town of Hustonville, Lincoln county.

By same—

An act to repair and keep in repair the public roads of Mercer county.

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to incorporate the Richmond Brick Making Company.

By same—

An act to amend an act, entitled "An act to incorporate the Richmond Hotel Company," approved April 5, 1888.

By same—

An act to amend an act to incorporate the Richmond Hotel Company.

By same—

An act authorizing the levying and collecting of an ad valorem special and poll-tax for the benefit of the public roads in Fulton county.

By Mr. Kemp, from the Committee on Printing—

An act to repeal an act to repeal an act to regulate the advertisement of judicial sales of land in Hardin and Grayson counties, approved April 8, 1884, in so far as it relates and applies to Hardin county, approved April 20, 1888, and to re-enact the same and make it apply to Hardin county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the Harris Seller Banking Company, of Versailles.

By same—

An act to incorporate the Equality Union Cornet Band Company.

By same—

An act to amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county."

By same—

An act in relation to the moving of traction and portable engines along roads and passways of this State.

By Mr. Roberts, from the same committee—

An act to protect passengers and steamboatmen on the Big Sandy river.

By same—

An act to declare Elkhorn creek, in Pike county, a navigable stream.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act to incorporate the Eminence Live Stock Fair Association, of Henry county," approved February 18, 1888.

By same—

An act to incorporate Graham Lodge, No. 208, of Ancient York Masons, located in Scottsville, Allen county.

By same—

An act to provide for a system of sewerage in the city of Paducah.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale, bartering or giving away of spir.

ituous, vinous or malt liquors, ale, beer or cider, within two miles of Oak Ridge Baptist Church, in Lewis county.

By same—

An act to charter the Mt. Pleasant Cemetery Company, in Ballard county.

By same—

An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Salem Baptist Church, in Christian county.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Prestonsburg, Beaver Valley and Big Stone Gap Railroad Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Eddyville.

By Mr. Bradley, from the Committee on Railroads—

An act to resubmit to the qualified voters of Pulaski county the question as to whether said county shall subscribe to the capital stock of the Cincinnati, Alabama and Atlantic Railroad Company.

By Mr. Wright, from the Committee on General Statutes—

An act to incorporate the Georgetown Safety Vault and Trust Company.

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to incorporate Richmond Lodge, No. 25, Free and Accepted Masons.

By same—

An act to incorporate Richmond Royal Arch Chapter, No. 16, Free and Accepted Masons.

By same—

An act to incorporate Richmond Commandery, No. 19, of Knights Templar.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act incorporating the town of Pleasureville, in Henry county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to regulate the sale

of spirituous, vinous and malt liquors in the corporate limits of the town of Catlettsburg.”

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Big Sandy Telegraph Company.

By Mr. May, from the same committee—

An act to authorize the Mt. Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville South-eastern Railroad Company.

With amendments to the eight last-named bills.

Which were adopted.

Ordered, That said bills, the eight last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. English, from the Committee on Internal Improvements, to whom was referred bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Paragon Electric Company.

An act to amend an act, entitled “An act to amend and reduce into one the several acts concerning the town of Earl-ington,” approved March 10, 1886.

An act to incorporate the Union Investment Company,

Together with amendments thereto, which were adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendments ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in bills, entitled

An act to amend an act, entitled “An act to authorize the Powell County Court to issue and sell the bonds of said county for the purpose of building a court-house and jail in said county,” approved January 28, 1890 ;†

An act to authorize the voters of Powell county to vote on the question of removing the county seat from Stanton to Clay ity,

Asked to be discharged from the further consideration of said leaves,

Which was granted.

The Speaker laid before the Senate the following communication, viz :

STATE OF KENTUCKY,
FRANKFORT, KY., April 12, 1890. }

Hon. J. W. BRYAN, Lieutenant Governor :

Please accept my resignation as Assistant Enrolling Clerk of the Senate.

Your friend,

JAS. MCAULIFFE.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act for the benefit of the city of Louisville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a second time, as follows, viz :

WHEREAS, An act to establish a State House of Reform for Juvenile Delinquents, approved February 15, 1869, section 1 provides: "In determining such location, the said commissioners shall take into consideration any proposition which may be made to them, and of the performance of which they shall have satisfactory assurance to give or sell to the State the land necessary for the site of said House of Reform or any part thereof, or to give to the State any materials or money to aid in the erection thereof." (Page 28, Laws of Kentucky, January session 1869, vol. 1); and whereas, the board of commissioners accepted a donation of \$8,000 from the city of Louisville, made for the purpose of securing the location of said House of Reform in the county of Jefferson. (Page 31, House Journal, 1869-70); and whereas, a resolution was approved March 3, 1873, appointing a joint committee to visit the State House of Reform for Juvenile Delinquents, and also the Feeble-minded Institute, and report the capacity of each of said institutions and the number of lunatics who may therein be accommodated, etc. (Page 67, Acts 1873, vol. 1); and whereas, an act concern-

ing the various charity institutions in this Commonwealth, approved April 21, 1873, the House of Reform for Juvenile Delinquents was partially changed into and called the Fourth Kentucky Lunatic Asylum (Page 44, Acts 1873, vol. 1); and whereas, said House of Reform was taken possession of and organized as Fourth Kentucky Lunatic Asylum on May 1, 1873 (Report of Commissioners, page 5, Documents 7, Documents 1873); and whereas, an act concerning the State House of Reform and permanently establishing the Central Kentucky Lunatic Asylum, approved February 16, 1874, "provides that it shall not any longer be used for the purposes of a State House of Reform for Juvenile Delinquents" (Page 29, Acts 1873-4); and whereas, the State having abolished the House of Reform after erection, it became necessary for the city of Louisville to provide the same for herself, and a House of Reform is needed for colored females; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts be directed to draw his warrant upon the Treasurer in favor of the city of Louisville for the sum of \$8,000. Said money to be used by the city of Louisville in the erection of a House of Reform for colored females.

§ 2. The said House of Reform for colored females to be under the control and charge of the managers of the Industrial School of Reform, and persons shall be admitted and sent to said House of Reform under the same regulations, for the same reasons, by the same authorities as white females are now committed to said Industrial School of Reform.

§ 3. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. W. McCain,
Ben F. Bradley,	John K. Hendrick,	John McCann,
B. F. Cockrell,	J. P. Huff,	John P. Newman,
Reuben Conner,	John R. Kemp,	A. L. Peterman,
F. W. Darby,	William Lindsay,	J. M. Pieratt,
Sam E. English,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	J. W. Martin,	D. W. Wright—22.
R. G. Hays,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend the charter of the town of Danville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Breckinridge moved to reconsider the vote by which the Senate had passed said bill.

Mr. Breckinridge moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to establish a court of common pleas in the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That a court of justice, to be known as the court of common pleas, is hereby established in the counties of Estill, Powell, Lee, Wolfe, Breathitt, and Knott.

§ 2. The first election for judge of said court shall take place on the first Monday in August, 1890, and afterwards on the first Monday in August, 1892, and every six years thereafter; and said elections shall be conducted as are elections for judges of circuit courts. The judge elected shall enter upon the duties of his office as soon as he receives his commission and qualifies thereunder; and it is hereby made the duty of the sheriffs of the respective counties in said district to open a poll on said first Monday in August, 1890, at the several voting precincts in said district and cause said election to be held; and all laws in

reference to holding elections, comparing polls and certifying same as to the office of circuit judge, are hereby made applicable to the holding of the election of common please judge in said district.

§ 3. The judge of said court shall possess the same qualifications, and receive the same salary, payable in the same manner, as judges of the circuit court.

§ 4. All the provisions of sections 1 and 2 of article 8, chapter 28, General Statutes, are hereby re-enacted, and made applicable to the court established by this act and the judge thereof in the same manner as the same are made applicable to the courts provided for in said sections.

§ 5. The said judge of the said court of common pleas, commissioned, shall be a conservator of the peace, subject to impeachment and removal from office in the same manner as are the judges of the circuit courts, and for like causes, and shall be clothed with the same powers out of court as are conferred by law upon circuit judges; may appoint examiners in any county within his jurisdiction, and grant licenses to practice law in the same manner as circuit courts. The same practice shall obtain and the same fees be charged as in circuit courts; and the courts for each county shall have a seal bearing its name and the device and motto of the Commonwealth. The said court of common pleas shall have original jurisdiction of all civil matters by action at law, in equity, motion, or otherwise, and in all other matters and things of which the circuit courts of the Commonwealth have jurisdiction, except that said court shall not have any criminal or penal jurisdiction. Said court shall have the same appellate jurisdiction that the circuit courts of this Commonwealth have in civil actions, and traverses of writs of forcible entry and detainer, and bonds to suspend the sale of property under execution or attachment or distress warrant, or attachment for rent shall be taken to and tried in said court in the same manner as they are now tried and disposed of in circuit courts. The sheriffs, jailers, marshals, coroners, and constables of the several counties composing said district shall perform all the duties in all actions and proceedings in said court which, by law, they would be required to perform in the circuit courts of this Commonwealth; and the circuit court clerk of each county in said district shall be the clerk of the said court of common pleas, and shall perform for their respective counties the clerical duties of said court, and be entitled to the same fees as they are allowed by law for similar services in circuit courts, collectible and distrainable in like manner. They shall be responsible on their official bonds for the faithful discharge of their duties in the same manner and to the same extent as for acts done and omitted to be done in the circuit courts; and certificates of the record of said court shall have the same force and effect as is given by law to certificates of the records of the circuit courts of the counties of said district.

and the record of the said court of common pleas shall have the same force and effect, and shall be evidence in all the courts of this Commonwealth in the same manner and to the same extent as records of the circuit court. The laws regulating the same, selecting and impaneling petit juries in the circuit courts of this Commonwealth shall regulate the same by selecting and impaneling juries in said court of common pleas. The Civil Code of Practice shall regulate and govern all actions and proceedings in said court of common pleas in the same manner and to the same extent as in circuit courts; and in all actions concerning the title to real estate orders of survey may be made and executed and paid for in the same manner as in the circuit courts.

§ 6. All the laws of this State in relation to the appointment of master commissioners by circuit courts, and their qualifications, duties and responsibilities are hereby made applicable to the court created by this act.

§ 7. The said court shall have power to allow and certify to the Auditor all claims against the Treasury of the State connected with said court.

§ 8. All the provisions of chapter 12, General Statutes, and amendments thereto in regard to changes of venue, are hereby made applicable to said court.

§ 9. A vacancy in the office of judge of said court shall be filled as a vacancy in the office of judge of the circuit court is now directed by law to be filled.

§ 10. In case the judge of said court is absent, or, if present, can not properly preside at any term of said court, an election for special judge shall be held in the manner prescribed by law for the election of special judges of the circuit court, and the law in relation to the election, qualification and compensation of special judges of the circuit court is hereby made to apply to this court and to special judges elected therein.

§ 11. The regular terms of said court shall be held as follows: In the county of Estill, the first Monday in June and December; in the county of Powell, the fourth Monday in June and December; in the county of Lee, the second Monday in January and July; in the county of Wolfe, the second Monday in February and August; in the county of Breathitt, the first Monday in March and September; in the county of Knott, the fourth Monday in March and September; and each term shall continue as many juridical days as the business may require, so as not to conflict with any other regular term of said court. Said court shall have power to hold special terms in each of said counties for the trial of common law and equity causes, to be called in the manner provided by law relative to special terms of circuit courts, and it shall be the duty of the judge of said court to hold such special terms whenever the business of the court may require it.

§ 12. It shall be the duty of the circuit court in each county

named in this act, at the first court after the passage of this act holden in said county, to make orders, transferring to said court of common pleas all cases at common law and in equity on the docket of said court, and the causes so transferred shall be entered upon the docket of said court of common pleas, and tried as if brought originally therein; and in any county in which said court of common pleas may hold a term before the regular term of the circuit court next after the passage of this act, it shall be the duty of the clerk of such circuit court to place on the docket of the common pleas court all cases then pending at law or in equity on said circuit court docket, and the judge of the court of common pleas shall take jurisdiction of and hear and try said causes the same as if originally brought therein, or as if they have been regularly transferred by order of the circuit court as provided for in this act.

§ 13. That all laws giving the circuit court original or appellate jurisdiction of cases at law or in equity in said counties of Estill, Powell, Lee, Wolfe, Breathitt, and Knott are hereby repealed.

§ 14. This act shall take effect from its passage, and shall only continue in force until the first of September, 1892.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
Ben F. Bradley,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	Phil Roberts,
Sam E. English,	J. H. Lunsford,	D. W. Wright—23.
T. L. Glenn,	J. W. Martin,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and reads as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE DEPARTMENT, }
FRANKFORT, April 12, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

J. S. Milton, Leslie county.
E. Hubbard, Leslie county.
W. C. Taylor, Perry county.
J. R. Rice, Bell county.
T. H. Merrett, Jefferson county.
W. O. Davis, Woodford county.
James K. Glenn, Scott county.
Aaron Waller, Union county.
W. F. Ingram, Jefferson county.
J. B. Russell, Green county.
Mary B. E. Grief, McCracken county.
J. S. Bell, Jefferson county.
Edgar R. Granaway, Christian county.
John A. Gray, Jefferson county.
John C. Gates, Jefferson county.
John L. Hawkins, Fayette county.
Jas. B. Hatten, Boyd county.
D. I. Heyman, Jefferson county.
J. C. Hutcherson, Barren county.
Thos. H. Hines, Franklin county.
J. H. Hocker, Lincoln county.
Wm. M. Hollingsworth, Bell county.
B. Whitney Herr, Jefferson county.
Mary R. Hubbard, Larue county.
Richard H. Higgins, Jr, Jefferson county.
Fred J. Hummel, Jefferson county.
J. B. Hatten, Pike county.
J. D. Henglebrok, Campbell county.
P. H. Holzheimer, Jefferson county.
W. L. Kennedy, Livingston county.
George W. Miller, Wayne county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 15, 1870.

An act to amend an act, approved May 2, 1888, entitled "An act to amend an act to provide for the government, management and discipline of the Kentucky penitentiary," approved May 3, 1880, and the several amendments thereto.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Midway."

An act to amend an act, entitled "An act to incorporate the Georgetown Street Railway Company," approved May 1, 1888.

An act to incorporate the Kentucky Southern Oil and Gas Company.

An act in relation to the town of Taylorsville.

An act to amend an act, entitled "An act to provide for organizing and establishing a system of public schools in Winchester," approved April 15, 1873.

An act to repeal an act, entitled "An act to incorporate the Ironside Bank of Smithland," approved May 10, 1888, and to re-enact a charter in lieu thereof.

Resolution authorizing the State Teachers' Association to occupy the Senate Chamber and House of Representatives for their June session, 1890.

Mr. Anderson moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads," approved April 3, 1870,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

On motion of Mr. Anderson—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. McCain, from the Committee on Public Expenditures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to reduce into one all acts in reference to the town of Pewee Valley, and to more clearly define the boundary of said town,

Reported the same, without amendment.

On motion of Mr. McCain—

Ordered, That said bill be recommitted to the Committee on Internal Improvements.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in House of Representatives, entitled

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county,

Which was granted.

Whereupon the Speaker appointed Mr. Glenn said committee on the part of the Senate.

After a short time Mr. Glenn, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hendrick, from the Committee on Judiciary, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 113 of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That chapter 113 (on Wills), of the General Statutes be, and it is hereby, amended, by adding to said chapter these words :

§ 43. When any real or personal property has been sold or mortgaged by an executor, devisee or legatee, the title to which was derived by such executor, devisee or legatee under a will duly probated in the county court having jurisdiction to probate same, the title and ownership thus sold or mortgaged shall not be affected by the judgment of any court impeaching or annulling the judgment of the county court admitting such will to probate, unless an appeal shall have been regularly taken from the judgment of the county court, admitting such will to record within one year from the rendering of said judgment in the county court.

§ 2. This act shall take effect from its passage, but shall not effect any proceedings now pending, nor the title to any property derived from any will heretofore probated until one year shall have elapsed from the passage of this act.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act in relation to the posting of lands in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wright—

Ordered, That the further consideration of said bill be post-

poned, and that it be made the special order of the day for Thursday, April 17, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hendrick, from the special committee appointed to report on reapportionment of the State into Congressional Districts, to whom was referred leave to bring in a bill, entitled

An act to reapportion the State into eleven Congressional Districts,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. May—

Ordered, That the further consideration of said bill be postponed, and that it be printed and made the special order of the day for Friday, April 18, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Lindsay, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky,

Reported the same with an amendment thereto.

On motion of Mr. Darby—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Thursday, April 17, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Leave was granted to bring in the following bills :

On motion of Mr. Dickerson—

1. A bill to provide for appeals from judgment in prosecutions for misdemeanors where the validity or construction of a statute is involved.

On motion of Mr. McCann—

2. A bill to amend the charter of the city of Louisville.

On motion of Mr. Roberts—

3. A bill to incorporate Pineville Lime and Cement Company, in the county of Bell.

On motion of Mr. Hays—

4. A bill to amend the charter of the Louisville Gas Company, approved March 16, 1888.

On motion of Mr. Cochrell—

5. A bill, entitled "An act to authorize the city of Mt. Sterling to sell four feet of ground."

On motion of same—

6. A bill to amend an act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester, approved February 2, 1882.

Ordered, That the Committee on Codes of Practice prepare and bring in the 1st; the Committee on Courts of Justice the 2d; the Committee on Propositions the 3d; the Committee on Banks and Insurance the 4th, and the Committee on the Judiciary the 5th and 6th.

And then the Senate adjourned.

TUESDAY, APRIL 15, 1890.

The Speaker of the Senate being absent, at his request Mr. Peterman took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Deposit Bank of Sadieville.

An act to incorporate the Patterson Literary Society of the Agricultural and Mechanical College of Kentucky.

An act to repeal an act, entitled "An act to prohibit the sale

of spirituous, vinous and malt liquors in Spencer county," approved April 14, 1886.

An act to amend an act which was approved April 26, 1886, amending the charter of Williamstown.

An act to incorporate the Beattyville Trust Company.

An act to amend article 1, chapter 94, General Statutes, title "Roads and Passways," and to establish road tax districts, and authorize the levy of a district road tax in certain counties of this Commonwealth.

An act to amend an act, approved May 6, 1880, entitled "An act to incorporate the Central Kentucky Lumber, Mining, Manufacturing and Transportation Company, now known as the Kentucky Union Land Company."

An act to amend an act to create the office of treasurer in Ballard county, approved February 6, 1888.

An act to amend an act, entitled "An act to incorporate the Louisville Steam Motor Power Company."

An act to authorize the Bourbon County Court to appropriate money for the construction of an iron bridge over Houston creek, on Walnut street, in the city of Paris.

An act to authorize the board of trustees of the town of Falmouth to issue bonds for the purpose of refunding the bonded indebtedness of said town.

An act to repeal an act, entitled "An act to prohibit the sale, barter and traffic in spirituous, vinous and malt liquors in Hopkins county," approved April 15, 1884.

An act to incorporate the Mt. Sterling Safety Vault and Trust Company.

An act to amend an act to incorporate the town of Bardwell, in Ballard, now in Carlisle, county.

An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents in the counties of Ballard and Carlisle.

An act to change the time of holding elections for, and commencement of term of office of, justices of the peace and constables in the counties of Breathitt and Morgan.

An act to empower the county court of McCracken county to buy stock in the gravel roads in said county, and to issue bonds to pay for same.

An act changing the boundary line between justices districts Nos. 2 and 3 of Meade county, and to establish an additional voting place in district No. 2, at Gaston.

An act to incorporate the Henderson Savings Bank of Henderson.

An act to amend an act, entitled "An act to incorporate the town of Briansburg, in Marshall county."

An act to amend an act, entitled "An act to incorporate the Bank of Henderson," approved March 8, 1888.

An act to incorporate the Farmers' Bank of Beattyville.

An act to amend an act, entitled "An act to incorporate the Lexington Charity Organization Society."

An act to regulate the right of voting in precinct of Hickory Grove, in Graves county.

An act to incorporate the Greensburg, Summersville and Caney Fork Turnpike and Bridge Company, in Green county, Kentucky.

An act to charter the Mortonsville and Clear Creek Turnpike Road Company, in Woodford county.

An act to repeal an act, entitled "An act to prohibit the sale of intoxicating liquors in Bullitt county," approved March 21, 1871, and all amendments thereto.

An act to amend article 1 of chapter 47 of the General Statutes, entitled "Gaming."

An act to amend an act in relation to the charter of Tyrone, in Anderson county, approved April 24, 1884.

An act to incorporate the town of Walton, in Boone county.

An act to amend an act, entitled "An act to incorporate the Louisville Car Trust Company."

An act for the benefit of common school district No. 9, in Lincoln county.

An act amending an act concerning the subscription to turnpikes in Harrison county, and compelling all turnpikes to be out of debt when the county subscription is paid hereafter.

An act to amend an act, entitled "An act to incorporate the Sugar Creek and Watts' Mill Turnpike Road Company."

An act to incorporate the Bank of Stanford, Kentucky.

An act to amend an act, entitled "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1881.

An act to incorporate the town of Rosewood, in the county of Muhlenburg.

An act to regulate the jurisdiction of justices of the peace in the city of Louisville.

An act to incorporate a turnpike road in Franklin county from a point on the Frankfort and Lawrenceburg Turnpike Road between the lands of J. N. Blakemore and sisters, to a point on the Harrodsburg and Louisville Turnpike Road near Edward Thomas.

An act to amend the charter of the city of Hopkinsville, in Christian county.

An act to prevent stock from running at large in the Brooksville and Berlin precincts in Bracken county.

An act creating the voting precinct of Waddy, in Shelby county.

An act to amend the charter of the city of Vanceburg, in Lewis county.

An act to enable the board of councilmen of the city of Augusta, in Bracken county, to issue the bonds of said city in aid of the establishment of manufactures in said city.

An act to incorporate the Merchants' and Traders' Bank of Georgetown.

An act to establish an additional justice's district in Lincoln county—"Hubble."

An act to prevent stock from running at large on that portion of the Mt. Sterling and Winchester Turnpike Road lying in Montgomery county.

An act empowering Lyon county to compromise its debts, and, for the purpose, to levy and collect taxes, and to elect sinking fund commissioners.

An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county, approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds and levy and collect taxes to pay the same, approved April 1, 1882.

An act to incorporate Bell and Harlan County Turnpike Road Company.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act prohibiting the charging of certain persons toll on turnpike roads in Woodford county.

An act chartering the Lebanon Bank and Trust Company.

An act to incorporate the Bank of Benton, Marshall county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to prevent the sale of spirituous liquors in the vicinity of schools and churches in the city of Mt. Sterling.

An act to extend and better define the limits of the city of Frankfort.

An act to amend and continue in force an act, entitled "An act to incorporate the Buffalo and Hodgenville Railroad Company," approved April 12, 1888.

An act to incorporate the Kentucky River and Virginia Railroad Company.

An act to incorporate the Brushy Fork and Scrubgrass Turnpike Road Company, in Nicholas county.

An act to re-enact and amend an act, entitled "An act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and issue bonds for the same,' " approved May 10, 1884.

An act to repeal an act to repeal an act to amend an act, entitled "An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same," approved March 2, 1888.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same,' " approved March 18, 1884.

An act to amend an act, entitled "An act to re-enact and amend an act, entitled 'An act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark's River Gravel Road Company.' "

An act to incorporate the Louisville and Danville Railroad Company.

An act to authorize an increase of the number of directors in the Bank of Kentucky and its branches.

An act to incorporate the Baptist Ministers' Aid Society of Kentucky.

That they had concurred in a joint resolution and passed bills, with amendments thereto, which originated in the Senate, of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Paducah, Cairo and Southwestern Railroad Company," approved February 24, 1888."

2. An act to incorporate the Cannon Creek Mining and Lumber Company.

3. Resolution providing for the *sine die* adjournment of the General Assembly.

They were referred—the 1st to the Committee on Railroads; the 2d to the Committee on Agriculture and Manufactures, and the 3d, the resolution, to the Committee on Public Expenditures.

That they had passed bills of the following titles, viz :

1. An act for the benefit of John G. Reynolds, of Green county, Kentucky.

2. An act to incorporate the Cynthiana and Western Railway Company.

3. An act to amend an act, entitled "An act to incorporate the Clifton and Reservoir Park Railroad Company."

4. An act authorizing the establishment of a graded free school in district No. 16, Fulton county, Kentucky.

5. An act to establish a system of public graded schools in the city of Pineville.

6. An act to prohibit the destruction of fish in the Kentucky river and its tributaries, and to prescribe a penalty therefor.

7. An act to amend an act, entitled "An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county.

8. An act to repeal an act, entitled "An act to amend an act, entitled 'An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage,' " approved April 26, 1886.

9. An act to incorporate an institution of learning in the town of Munfordville, Hart county, under the name and style of Green River Collegiate Institute.

10. An act to incorporate the Lebanon and North and South Railroad Company.

11. An act to authorize and empower the board of county commissioners of Greenup county to formulate a plan issuing bonds and levying an ad valorem and poll-tax for the purpose of building turnpikes or gravel roads in said county.

12. An act for the benefit of the estate of Charles Smith, deceased, of Nelson county.

13. An act authorizing and empowering the court of levy for Bracken county to subscribe and take stock in certain turnpike roads.

14. An act to regulate the advertisement of sale of property under order of court or execution, and to provide for the publication of notice of appointment and settlements of administrators, etc., and to fix the compensation for said advertising in the county of Bracken.

15. An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issue of bonds of the city.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 4th, 5th, 6th and 9th to the Committee on Education; the 2d, 3d and 10th to the Committee on Railroads; the 7th to the Committee on Propositions and Grievances; the 8th to the Committee on Religion and Morals; the 11th to the Committee on Courts of Justice; the 12th to the Committee on Claims; the 13th and 14th to the Committee on Revenue and Taxation, and the 15th to the Committee on Immigration and Labor.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Commercial Bank of Middlesborough, Kentucky.

By same—

An act to incorporate the Farmers' and Laborers' Bank of Henderson.

By same—

An act to amend an act, entitled “An act to amend, revise and reduce into one the several acts in relation to the town of Shepherdsville, Bullitt county,” approved April 30, 1884.

By same—

An act to amend an act, entitled “An act to incorporate the Deposit Bank of Waddy,” approved January 10, 1890.

By same—

An act to amend an act to incorporate the Deposit Bank of Bourbon county.

By same—

An act to amend an act for the benefit of the Fleming County Farmers’ Bank.

By same—

An act to amend an act, entitled “An act to establish and incorporate a bank of deposit and discount in Burlington, in Boone county.

By same—

An act to amend an act, entitled “An act to incorporate the Louisville Fire and Life Association of Louisville, Kentucky,” approved March 24, 1888.

By same—

An act to incorporate the Bank of Harlan.

By same—

An act to incorporate the Citizens’ Bank of Beech Grove.

By same—

An act to incorporate the Big Sandy Banking and Trust Company.

By same—

An act to incorporate the Breathitt County Citizens’ Bank.

By same—

An act to incorporate the Citizens’ Deposit Bank of Booneville.

By same—

An act to amend an act, entitled “An act of incorporation of the German National Insurance Company of Louisville.”

By same—

An act to incorporate the Madison Fire Insurance Company of Richmond, Kentucky.

By same—

An act to incorporate the Peidmont Deposit Bank, at Irvine, Kentucky.

By same—

An act to incorporate the Green River Trust Company.

By same—

An act to incorporate the Sebree Deposit Bank, of Sebree, Kentucky.

By same—

An act to charter the Jamestown Loan and Deposit Bank.

By same—

An act to incorporate the Mt. Sterling Banking Company.

By same—

An act to incorporate the Clark County Deposit Bank of Winchester.

By same—

An act to incorporate the Northern Kentucky Land Title Insurance Company.

By same—

An act to incorporate the Bank of Hazel Green, at Hazel Green, Kentucky.

By same—

An act to incorporate the Twelfth Ward Bandana Democratic Club of the city of Louisville.

By same—

An act to incorporate the West End Mutual Investment Company.

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act to incorporate the Farmers' and Laborers' Union Exchange of Calloway county.

By same—

An act to repeal an act, entitled "An act to repeal an act, entitled 'An act, entitled 'An act to incorporate the Metropolis and Kentucky Bridge Company,' ' ' approved March 15, 1869, and to re-enact and amend an act to incorporate the Metropolis and Kentucky Bridge Company.

By Mr. Patteson, from the Committee on Courts of Justice—

An act to authorize the Johnson County Court of Levy and

Claims to issue and sell the bonds of said county, and provide for the payment of same for the purpose of building a courthouse and clerks offices in said county, and provide for the appointment of a treasurer for said county.

By same—

An act to incorporate and define the corporate limits of the town of East Point, in Johnson county.

By Mr. McCann, from the same committee—

An act to amend the charter of the city of Ludlow, and procure a water supply for said city and its inhabitants.

By same—

An act to incorporate the Louisville Fair.

By same—

An act to incorporate the Home for Friendless Woman, located at Louisville, Kentucky.

By same—

An act to authorize the closing of public offices in the city of Louisville and the county of Jefferson on Saturday afternoons from May 1st to October 1st, both inclusive.

By same—

An act concerning the Bourbon County Court of Claims.

By same—

An act to change the name and approve and amend the charter of the W. T. Pyne Mill and Supply Company, of Louisville, Kentucky.

By same—

An act to amend the charter of the town of Springfield.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Bracken County Bank, at Brooksville.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hays moved to reconsider the vote by which the Senate had passed the last-named bill.

Which motion was simply entered.

Mr. McCann, from the Committee on Courts of Justice, to

whom was referred a bill from the House of Representatives, entitled

An act to provide for the establishment of the public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCann moved to reconsider the vote by which the Senate had passed said bill.

Mr. McCann moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act to incorporate the Peoples' Bank of Bagdad,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Wortham, from the Committee on Sinking Fund, to whom was referred a bill, which originated in the House of Representatives, entitled

An act in relation to the sinking fund and the transferring of same to the general expenditure fund,

Reported the same without amendment.

On motion of Mr. Hays—

Ordered, That the further consideration of said bill be postponed, and that it be printed and made the special order of the day for Friday, April 18, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Patteson, from the Committee on Claims, to whom was

referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Mrs. D. Howard Smith, Mrs. W. C. Bullock, and Thomas W. Scott,

Reported the same, without amendment.

On motion of Mr. Lindsay—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for to-morrow at 10:40 o'clock A. M., and from day to day until disposed of.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of J. A. Board, of the county of Marion,

Reported the same, without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the negative.

So said resolution was disagreed to.

Mr. Patteson moved to reconsider the vote by which the Senate had disagreed to said resolution.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. Petteson—

Ordered, That the further consideration of said resolution be postponed, and that it be made the special order of the day for to-morrow, at 11 o'clock A. M., and from day to day until disposed of.

Mr. McCain, from the Committee on Public Expenditures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act incorporating the Dutch Tract Cemetery Company, at Pleasureville, Henry county, approved March 5, 1879, and amendment, approved 14th March, 1871,

Reported the same without amendment.

On motion of Mr. McCain—

Ordered, That said bill be referred to the Committee on Internal Improvements.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act relating to branding logs on Kentucky and Cumberland river, approved May 15, 1886,

Reported the same, without amendment.

Mr. Paul objected to the third reading of said bill on this day.

So the said bill fell into the orders of the day.

Leave was granted to bring in the following bills :

On motion of Mr. Wortham—

1. A bill to incorporate the Louisville and St. Louis and Nashville Railway Company.

On motion of Mr. May—

2. A bill to incorporate the Kentucky Pipe Line Company.

On motion of Mr. McCann—

3. A bill to incorporate the Consolidated Jellico Coal and Iron Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st and 2d, and the Committee on Courts of Justice the 3d.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Covington Trust Company ;

An act to incorporate the Deposit Bank of Middlesborough ;

An act to incorporate the Old Alton and New Alton Turnpike Road Company, in Anderson county ;

An act to amend an act, entitled "An act to regulate the selling, lending, procuring or giving of spirituous, vinous or malt liquors, or any intoxicating drinks, in the county of Carter ;"

An act regulating the conveyance of cemetery lots in the town of Russellville, Logan county, Kentucky ;

An act to regulate the duties of the trustee of the jury fund of Jefferson county ;

An act to change the corporate limits of the town of Greenville, in Muhlenburg county ;

An act for the benefit of the Mayfield Water and Light Company, legalizing all defects which may exist in the organization and proceedings of same, and authorizing it to sell bonds and make mortgage ;

An act to amend article 26, chapter 29 of the General Statutes ;

An act to incorporate the Bank of Livermore ;

An act for the benefit of Thomas J. Starks, of Allen county ;

An act to provide for the punishment of petit larceny in Graves county ;

An act to incorporate the Avenstoke and Wilson Creek Turnpike Road Company ;

An act to change the time of holding the circuit courts in the counties of Jackson and Laurel ;

An act to amend the charter of Paducah, Kentucky ;

An act to amend section 5, article 2, chapter 45, in reference to fugitives from justice, General Statutes ;

An act to amend an act, entitled "An act to incorporate the Union Insurance Company of Louisville ;"

An act to amend an act, entitled "An act to incorporate the town of Enterprise, in Carter county ;"

An act to amend an act, entitled "An act to incorporate the town of Brandenburg, in Meade county ;"

An act to amend section 5 of chapter 79, General Statutes ;

An act to amend article 5, chapter 28, General Statutes, titled "Courts ;"

An act to incorporate the Shelby and Spencer Game Club ;

An act to amend the charter of the city of Augusta, and exempt certain property from taxation for city purposes ;

An act to change the boundary lines between Washington, Anderson and Mercer counties ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Newport Light Company ;

An act to fix the compensation of Commonwealth's Attorneys ;

An act to amend the charter of the city of Newport ;

An act in relation to Bath county subscription to Kentucky Midland Railway Company ;

An act to incorporate the Hardin County Savings Bank and Trust Company ;

Resolution requesting our Senators and Representatives in Congress to urge the passage of a bill granting a pension to John J. Tulley ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Deposit Bank of Russellville, Kentucky,” approved May 13, 1886.

By same—

An act to incorporate the Kentucky Netherlands Trust Company.

By Mr. Lindsay, from the same committee—

An act to incorporate the Citizens’ Banking and Trust Company of Lawrenceburg.

By Mr. McCann, from the Committee on Courts of Justice—

An act to establish an additional voting place in district No. 7, Daveiss county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May moved to reconsider the vote by which the Senate

had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

Mr. May moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. May proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on the Sinking Fund, to whom was referred the report of the Commissioners of the Sinking Fund, covering the receipts and disbursements of the Sinking Fund from January 1, 1888, to January 1, 1890, made in pursuance of chapter 101, section 10 of the General Statutes,

Asked to be discharged from the further consideration thereof,

Which was granted.

The Speaker laid before the Senate the report of Jos. D. Pickett, John G. Simrall, John O. Hodges and H. A. Watkins as Trustees of the State Colored Normal School.

On motion of Mr. Glenn—

Ordered, That 200 copies of said report be printed and spread upon the desks of the members.

Mr. May asked the appointment of a committee from the Senate to ask the withdrawal from the House of Representatives of the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county, approved March 15, 1890.

Which was granted.

Whereupon the Speaker appointed Mr. May such committee.

After a short time Mr. May, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Hays, from the Committee on Banks and Insurance, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any citizen or citizens of this Commonwealth who shall insure, or cause to be insured, any property located in this State with any company, association or partnership that has or have not filed a statement with the Commissioner of Insurance and received such license to prosecute business as is required by the laws of the State of Kentucky, and who has not or have not complied with all the provisions thereof, such citizen or citizens shall retain twenty per cent. of any deposit made or agreed to be made with, or any premium agreed to be paid to such company, association or partnership, and shall pay the same into the State Treasury of the Commonwealth of Kentucky within thirty days after such insurance shall be effected.

§ 2. That any citizen or citizens who shall fail or neglect, for the space of thirty days after the issue of such insurance, to pay as is required by the foregoing section, shall, on conviction before any court of competent jurisdiction, pay in addition to the twenty per cent. tax aforesaid, a penalty of one hundred dollars for each offense!; and such penalty shall be sued for and recovered in the name of the Commonwealth of Kentucky, and, when sued for and collected, shall be paid into the State Treasury, less fifty per cent. to be paid to the Attorney-General or Commonwealth's Attorney for services.

§ 3. The Commissioner of Insurance shall arrange for and provide to any citizen and citizens, on their application, blanks on which such returns as are hereinbefore provided for shall be made under oath.

§ 4. This act to take effect from and after the date of its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Berry and Terry, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. B. Hannah,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
Sam E. English,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—13.
R. G. Hays,		

Those who voted in the negative, were—

W. F. Berry,	A. H. Stewart,	G. Terry—4.
Phil Roberts,		

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and reads as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, April 15, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled “An act to amend the charter of the city of Louisville and directory to the board of commissioners of public charities of said city.”

The General Assembly has seen fit to accord to the city of Louisville a charter granting to its inhabitants, under the restrictions therein imposed, the rights of local self-government. It is perfectly competent for the legislative department if, in their judgment, the people are not capable of exercising this privilege, to repeal their charter, and to take upon themselves the government of the city according to their own ideas of propriety.

The present bill is evidently based upon the hypothesis that the city of Louisville, as far as its commission of public charities is concerned, is incapable of self-government, and, therefore, proposes to dictate to that commission the manner in which they shall discharge their duty to the public. But in doing this it is believed that the Legislature has imposed upon them the execution of an impossible task.

The first section of the bill provides that "the board of commissioners of public charities for the city of Louisville shall not hereafter use or direct the labor of convicts in the city work-house in such manner as to compete with the laboring classes outside of said work-house. Said commissioners shall hereafter be required to cause convicts in said work-house to work in the stone quarry, prepare curbing for streets and material for macadamizing streets in Louisville, and do other useful labor on the public property so as not to come into competition with labor not under the control of said commissioners: *Provided, however,* That the city of Louisville may use said material for repair of public ways."

It may be learned, in the most elementary treatise on physics, that reaction is equal to action, that the exertion of a force develops a corresponding resistance; and that the continuous swinging of the woodman's axe, unconsciously to himself, occasions corresponding oscillations of the earth's centre, and through its changes of position affects the movement of the remotest planet in the solar system. Though the effect is infinitesimal and incapable of measurement, it is, nevertheless, a philosophical truth.

As in the physical, so in the social world. The elements of society act and react upon each other. The labor of a single agriculturist, on the remotest frontier of civilization, has its effect upon the labor of others, but its influence is so small that the entire blight of many crops would not very materially affect the markets of the world.

In like manner, the labor of a single convict must necessarily have some slight influence upon other labor; but it is so insignificant, that if all the convict labor of the world were suddenly to cease and should not be resumed, its proportion to the rest of the labor is so small that it would probably not affect the aver-

age prices of wages as much as the thousandth part of a cent per day. The only way in which it may be made seriously to affect the price of wages is by directing it upon a particular locality and upon a particular class of work, and this result is accomplished in the present bill. If the labor had been left to be diffused as heretofore upon all departments of work, its influence, though present, would not have been materially felt by any class. But this bill unjustly discriminates against working in stone, and directs that the labor be concentrated upon a single class of work, so that the aggregate of all the convict labor shall come in competition with a particular class of free labor on a limited field, thus necessarily affecting that class; and yet this legislative mandate is accompanied by the further requirement that the competition thus ordered to be inaugurated shall not be permitted to compete. It is doubted if the commissioners can accomplish the task prescribed.

The only way in which convict labor can not in some degree compete with other labor, will be to direct it to cease altogether. But a legislative force exerted in that direction will develop the corresponding reaction. For to the precise extent of the value of the labor thus destroyed there must be an additional tax levied upon the very classes whom this bill erroneously professes to benefit, to maintain the convicts in luxurious ease and idleness.

The vicious and criminal classes must be restrained in order that society may exist. They are a source of constant expense to the Commonwealth, and they should be controlled in such a way that while undergoing salutary restraint their labor should be so employed as to make some reparation to society for the wrongs they have committed. That reparation is not due to one class of people alone, but to society at large. Their labor should not be diverted for the benefit of any one class at the expense of others, for it is society in the aggregate that has been offended and to whom reparation is due. And especially should there be no attempt, as has been made in this bill, to direct the employment of this labor in a way which lessens its benefits to the public while it discriminates injuriously against a respectable and worthy class of the community.

The Senate is therefore respectfully requested to reconsider their action on this bill.

Respectfully,
S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. The board of commissioners of public charities for the city of Louisville shall not hereafter use or direct the labor of convicts in the city work house in such manner as to compete with the laboring classes outside of said work-house. Said commissioners shall hereafter be required to cause convicts in said work-house to work in the stone quarry, prepare curbing for streets and material for macadamizing streets in Louisville, and do other useful labor on the public property so as not to come in competition with labor not under the control of said commissioners: *Provided, however,* That the city of Louisville may use said material for repair of public ways.

§ 2. All laws in conflict herewith are hereby repealed.

§ 3. This act shall take effect from and after its passage.

On motion of Mr. McCann—

Ordered, That two hundred copies of said message be printed, and that the same, together with the bill, be referred to the Committee on Courts of Justice.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred amendments adopted by the House of Representatives to bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Kentucky Soldiers' Home ;

An act regulating the election of directors, trustees or managers of the institutions or corporations of the city of Louisville whose directors, trustees or managers are, by law, elected by the general council of the city of Louisville,

Reported the same, with the expression of opinion that the Senate concur therein.

And the question being taken on concurring in the adoption of said amendments, it was decided in the affirmative.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act exempting savings deposits from taxation,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That moneys deposited in the savings departments of any State or National bank in the Commonwealth shall, from and after the passage of this act, be exempt from taxation of any kind whatever, to the extent of five hundred dollars for each depositor who is a working man, married woman or infant: *Provided*, Such deposits are deposited with said corporation for a stipulated rate of interest per annum, payable according to the stipulated rules and regulations governing the savings deposits taken by said banks.

§ 2. This act to take effect from and after its passage.

Mr. Darby moved that said bill be recommitted to the Committee on Banks and Insurance, with directions to report a bill to the Senate, repealing so much of the charter of the Louisville Trust Company as exempts five hundred dollars of each depositor in its savings department from taxation.

Mr. Hays moved to lay said bill on the table.

And the question being taken on the motion made by Mr. Hays, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Lindsay and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann—4.
Reuben Conner,		

Those who voted in the negative, were—

F. W. Darby,	J. H. Lunsford,	A. L. Peterman,
T. L. Glenn,	D. L. May,	Phil Roberts,
J. B. Hannah,	J. W. McCain,	J. S. Wortham—11.
William Lindsay,	John P. Newman,	

On motion of Mr. Newman, the Senate then adjourned.

WEDNESDAY, APRIL 16, 1890.

The regular Speaker and Lieutenant-Governor, Hon. J. W. Bryan being absent, at his request Hon. A. L. Peterman took the chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the Platt-deutschen Schuetzen Gesellschaft, of Louisville.

That they had passed a bill, entitled

An act to incorporate the Rosedale Agricultural Association of Campbell county.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Courts of Justice.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE OFFICE,
FRANKFORT, April 16, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

J. W. Campbell, McCracken county.

M. Lewis Clarke, Jefferson county.

Edward Butler, Jr., Adair county.

S. A. Gann, Russell county.

Paris H. Holzheimer, Jefferson county.

Pat M. O'Reilly, Jefferson county.
Chas. J. Scholtz, Jefferson county.
John Holmes, Henry county.
J. Ham Helsey, Muhlenburg county.
Dent Hoover, Jessamine county.
James Henry, Jefferson county.
Chas. F. Hill, Jefferson county.
F. V. Harding, Jefferson county.
Wm. F. Ingram, Jefferson county.
R. H. Ingram, Henderson county.
Dave Jackson, Laurel county.
J. Craik Jackson, Franklin county.
Chas. Kremer, Jr., Jefferson county.
Will H. Kyler, Hancock county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend the charter of the incorporated district of Highlands, in Campbell county.

An act to charter the Monticello Banking Company.

An act to amend an act to regulate public grain warehouses in this Commonwealth, approved April 28, 1880.

An act to amend the charter of the city of Louisville, regarding the pensioning disabled firemen and policemen.

An act in relation to Bath county subscription to Kentucky Midland Railway Company.

An act to amend the charter of the city of Newport.

An act to fix the compensation of Commonwealth's Attorneys.

An act to incorporate the Hardin County Savings Bank and Trust Company.

Mr. May moved to reconsider the vote by which the Senate passed a bill, which originated in the House of Representatives, of the following title, viz:

An act to amend an act resubmitting to the voters of Hardin

county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county, approved March 15, 1890.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. May proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and the Senate took up for consideration the motion heretofore entered by Mr. Glenn, to reconsider the vote by which the Senate had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend chapter 27, article 2, section 1, General Statutes, titled "County Levy."

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county ;"

An act to provide for the registration of voters in the county of Christian ;

An act to amend an act, entitled "An act to incorporate the town of Rosine, in Ohio county, Kentucky," approved March 16, 1878 ;

An act to incorporate the Jackson Bridge Company ;

An act to incorporate the East Fork Turnpike Road Company, in Madison county ;

An act to incorporate the Camdenville and Johnsonville Turnpike Road Company, in Anderson county ;

An act to incorporate the Persimmon Grove and Grant's Lick Turnpike Road Company ;

An act to incorporate the Bank of Benton, Marshall county ;

An act to amend an act, entitled "An act to amend and reduce into one all the several acts incorporating West Liberty, in Morgan county," approved February 25, 1884 ;

An act to amend article 13, section 7, chapter 28, General Statutes, title "Courts ;"

An act to incorporate the city of Pineville, Bell county ;

An act to authorize a certain portion of Jessamine county to subscribe to the capital stock of the East Hickman, Jessamine county, Turnpike Company, and to provide for the payment of the same ;

An act to prohibit the sale of spirituous, vinous, malt liquors, ale or beer within three miles of Salem Baptist Church, in Christian county ;

An act for the benefit of W. B. Edwards, late clerk of the Hart Circuit Court ;

An act to prohibit the owners or bailees of horses, cattle or other animals from allowing the same to go at large in Mt. Zion magisterial district, in Grant county, and to make the owner or bailee of such animals liable for all trespasses, damages or injuries committed by them ;

An act to incorporate the Exchange Bank of Owingsville ;

An act to incorporate the lodge of Kentucky Knights of Odd Fellows ;

An act to provide for removing obstructions in water-courses in Marshall county ;

An act to provide for the appointment of a clerk for the jury commissioners of Jefferson county ;

An act to declare Elkhorn creek, in Pike county, a navigable stream ;

An act to change the time of holding the Lincoln County Court from first Monday in each month to the second Monday ;

An act to amend the charter of the town of Hustonville, Lincoln county ;

An act to repair and keep in repair the public roads of Mercer county ;

An act to incorporate the Central Electric Company ;

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville and Irvine and Beattyville Railroad Company," and the amendments thereto ;

An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands, and devices covering the products of such labor of associations or unions of working men or women ;

An act relating to depositions taken to be read in the McCracken Court of Common Pleas ;

An act in relation to the moving of traction and portable engines over and along the roads and passways of this State.

An act to increase the jurisdiction of magistrates in the city of Covington to two hundred dollars ;

An act to amend the charter of the Independence and Colemansville Turnpike Road Company ;

An act to establish a court of common pleas in the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott ;

An act to provide for holding an election to take the sense of the voters of Canton precinct, in Trigg county, as to the regulation of the liquor traffic or its prohibition therein ;

An act chartering the Lebanon Bank and Trust Company ;

An act to amend an act, entitled "An act to provide for and regulating the ventilation of coal mines in this State, and for the better protection of miners," approved May 10, 1884, and also to amend an act amendatory of said act, approved April 6, 1888 ;

An act to amend an act, entitled "An act to incorporate the Woodford Hotel Company," approved March 10, 1869 ;

An act to provide for levying a tax and working the public roads of Carlisle county ;

An act to prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors, ale, beer or cider, within two miles of Oak Ridge Baptist Church, in Lewis county ;

An act relating to water-works and electric lights in the town of Russellville, Kentucky ;

An act to amend an act, entitled "An act to incorporate the Richmond Hotel Company," approved April 5, 1888 ;

An act to incorporate St. Leon Lodge No. 69, Knights of Pythias, Scottsville, Kentucky ;

An act to incorporate Graham Lodge No. 208 of Ancient York Masons, located in Scottsville, Allen county ;

An act to incorporate Miles Lodge No. 341, Free and Accepted Masons ;

An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution ;

An act for the benefit of J. L. Hemphill, sheriff of Knox county ;

An act to amend an act to incorporate the Richmond Hotel Company ;

An act to incorporate the National Contract and Construction Company ;

An act to provide for a system of sewerage in the city of Paducah ;

An act to amend an act to create the office of commissioner of bonds for the city of Louisville," approved March 26, 1890 ;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to incorporate the Citizens' Vault and Trust Company of Mt. Sterling ;

An act to amend the charter of the Shelby County Trust Company ;

An act to repeal an act, entitled "An act to incorporate the town of Clarkson, in Grayson county," approved May 1, 1888 ;

An act to amend an act, entitled "An act to incorporate the Louisville Public Warehouse Company ;"

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867 ;

An act to incorporate the Kentucky Woman's Confederate Monument Association ;

An act to incorporate the Muhlenburg County Fair Company ;

An act to incorporate the Big Hill Mining and Investment Company ;

An act to incorporate the Hillsboro Cemetery Company of Fleming county ;

An act to provide for sewerage in the city of Newport ;

An act to incorporate Iron Banks Lodge No. 802, Knights of Honor, Columbus, Kentucky ;

An act to incorporate the Cross Land and Lumber Company ;

An act to amend an act, entitled "An act to incorporate the Newport Printing and Newspaper Company," approved April 8, 1878 ;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend chapter 94 of General Statutes,' " approved February 19, 1880 ;

An act to incorporate the Otter Creek Coal, Iron and Lumber Company ;

An act to incorporate the Kentucky Fair Association ;

An act to amend an act, entitled "An act incorporating the Muhlenburg Coal Company," approved February 7, 1880 ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Earlington," approved March 10, 1886 ;

An act to empower the trustees of Macedonia Church, near Harrison, in Hopkins county, to sell the church lot and building, and reinvest the proceeds in another house of worship ;

An act to provide for sewerage in the city of Dayton ;

An act to incorporate the Central Kentucky Mining, Manufacturing, Lumber and Real Estate Company ;

An act to incorporate the Daniel E. O'Sullivan Printing and Publishing Company ;

An act to incorporate the Cumberland Contract Company ;

An act to incorporate the Pineville Water Company of Bell county, Kentucky ;

Resolution providing for the loan of guns belonging to the State to certain persons and organizations ;

Resolution allowing mileage to the Speaker of the Senate ;
And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The hour of 10:40 o'clock having arrived, the Speaker announced the special order for that hour.

On motion of Mr. Wright—

Ordered, That the consideration of the special orders of the day be postponed until a call of the committees was had.

Mr. Hays withdrew the motion heretofore entered by him to reconsider the vote by which the Senate passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bracken County Bank, at Brooksville.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to create a board of commissioners for Letcher county, to prescribe their powers and duties, and to authorize them to issue bonds for certain purposes,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stewart moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. McCann, from the Committee on Courts of Justice, to whom was recommitted a bill, which originated in the Senate, entitled

An act for the protection of the public health by providing

for the inspection of cattle, calves, sheep, lambs and swine intended for human food,

Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That no person, firm or corporate body shall sell, or offer or expose for sale, or have in his possession, with intent to sell as human food, any fresh beef, veal, mutton, lamb, or pork, which has been taken from, or is a part of, any cattle, calves, sheep, lambs, or swine having an infectious disease at the time of slaughter.

§ 2. That no person, firm or corporate body shall sell, or offer or expose for sale in this State, any cattle, calves, sheep, lambs, or swine having an infectious disease.

§ 3. It shall be the duty of the several governing bodies of each city, town and village in this State having a population of two thousand or over, and of the county levy courts in all counties of the State, to elect one or more inspectors of cattle intended to be slaughtered for human food, who shall hold their offices for two years, or until their successors are elected and qualify. The authority and jurisdiction of said inspectors shall be territorially co-extensive with the body electing them respectively, except that inspectors elected by the county levy courts shall have no right or authority to inspect any cattle, calves, sheep, lambs, or swine in any city or town of two thousand inhabitants or over in the county. The said several boards electing said inspectors shall, by proper order or ordinance, regulate the form of certificate to be used by such inspectors, the bond to be given by them, and the salary or fees to be paid them.

§ 4. It shall be the duty of the said inspectors to inspect all cattle, calves, sheep, lambs and swine intended to be slaughtered for human food within their respective jurisdictions within ten days before the slaughter of the same, and, if found healthy and in suitable condition to be killed for human food, to give the owner thereof a certificate to that effect. If found, on such examination, to be unfit for human food by reason of infectious disease, the inspector shall order the immediate removal and destruction of such diseased animals, and no liability for damages shall accrue by reason of such action.

§ 5. Every certificate given by such inspectors under the provisions of this act shall give date of inspection, and shall describe the animals inspected, and that they were, at the time of such inspection, free from all infectious diseases, apparently in good health, and in fit condition to be slaughtered for human food. A duplicate of each certificate shall be preserved in the office of the inspector giving the same.

§ 6. It shall be unlawful for any person, firm or corporate body to sell, offer or expose for sale, or have in his possession,

with intent to sell for human food, any fresh beef, veal, mutton, lamb, or pork, which has not been taken from an animal inspected and certified before slaughter as free from all infectious diseases as herein provided.

§ 7. Every inspector who shall make or issue a false certificate under the provisions of this act shall be liable to a fine of not less than fifty dollars nor more than one hundred dollars for each animal falsely certified as fit for human food.

§ 8. Every person who violates the provisions of section 1 or section 6 of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars, or by imprisonment in the county jail for not less than ten nor more than thirty days, or both so fined and imprisoned.

§ 9. Every person who shall violate the provisions of section 2 of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars.

§ 10. This act shall take effect and be in force from and after the first day of July, 1890.

Mr. Glenn moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday next, April 23d, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Dickerson moved to postpone the further consideration of said bill indefinitely.

Mr. Lindsay moved to recommit said bill to the Committee on General Statutes, with leave to report at any time.

Mr. Dickerson moved to lay said bill on the table.

And the question being taken on the motion to lay said bill on the table, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. H. Lunsford,	A. H. Stewart,
W. W. Dickerson.	J. M. Pieratt,	G. Terry,
J. B. Hannah,	Phil Roberts,	J. S. Wortham—10.
John R. Kemp,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	Chas. Patteson,

B. F. Cockrell,
Reuben Conner,
F. W. Darby,
Sam E. English.

William Lindsay,
D. L. May,
J. W. McCain,

A. L. Peterman,
J. H. Shearer,
D. W. Wright—19.

The question was then taken on the motion made by Mr. Glenn, and it was decided in the negative.

Mr. Bradley moved to amend the motion made by Mr. Lindsay, by substituting the Judiciary for the General Statutes Committee.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the motion made by Mr. Lindsay, as amended, and it was decided in the affirmative.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend the several acts in relation to the town of Slaughtersville, Webster county,

Reported the same, with an amendment as a substitute therefor,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz :

An act to amend the charter of the town of Slaughtersville, in Webster county.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Hannah, from the Committee on Courts of Justice—

An act to amend an act to establish a board of commissioners for Greenup county, and to define their duties and the duties of other officers whose duties are connected with those of said commissioners.

By same—

An act for the benefit of J. H. Poage, clerk of the Boyd county and quarterly court.

By same—

An act to amend and reduce into one the road laws of Greenup county.

By same—

An act to change the time of holding the Menefee Circuit Court.

By same—

An act to amend an act, entitled "An act to establish a board of commissioners for Carter county, and to define their duties, and the duties of other county officers whose duties are connected with the duties of said commissioners."

By same—

An act to provide for the construction and repairs of public roads in Carter, Breathitt and Elliott counties.

By same—

An act to incorporate the Elloisa Bridge Company of Lawrence county.

By Mr. Goebel, from the same committee—

An act providing a game law for Kenton county.

By same—

An act to amend the charter of the town of West Covington.

By same—

An act to amend the charter of the city of Ludlow, in Kenton county.

By same—

An act to amend the charter of the town of West Covington, Kenton county.

By same—

An act to amend the charter of the town of Central Covington, Kentucky.

By same—

An act changing the time of holding the county and quarterly courts in Owsley county.

By same—

An act to regulate the civil jurisdiction of justices of the peace in Montgomery county.

By same—

An act to authorize the county court clerk of Estill county to sign certain unsigned orders in the records of said county, and to make valid said proceeding.

By same—

An act to change the time of holding the Carlisle County Court.

By same—

An act to empower the city of Vanceburg to condemn land to widen certain streets and alleys in said city, and to issue its bonds, and levy a tax to pay for such improvement.

By same—

An act to repeal an act, entitled "An act to provide additional salary for the Circuit Judge of the 10th Judicial District," approved May 17, 1886.

By same—

An act to change the time of holding the county and quarterly courts in Floyd county.

By same—

An act for the benefit of Washington county, by which the Washington County Court is not allowed to appropriate a greater sum than \$500 per mile to aid in constructing turnpike roads.

By same—

An act to authorize the county court of Cumberland county to levy an ad valorem and capitation tax for county purposes.

By same—

An act to authorize and empower the board of county commissioners of Greenup county to formulate a plan for issuing bonds and levying an ad valorem and poll-tax for the purpose of building turnpikes or gravel roads in said county.

By same—

An act to incorporate the town of Denton, in Carter county.

By same—

An act to change the time for the meeting of the Fleming County Court of Claims.

By same—

An act to authorize the county levy court of Fleming county to levy an ad valorem tax for county purposes.

By same—

An act to repeal an act giving certain authority to the presiding judge of the Greenup County Court, approved March 3, 1856.

By same—

An act to authorize the Lewis County Court to levy and collect an ad valorem tax for bridge purposes, and to empower the county judge to convene the court in extra session.

By same—

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882.

By same—

An act to amend an act for the benefit of the clerks of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson counties, so far as the same applies to Lewis county.

By same—

An act for the benefit of Albert Lee, late sheriff of Marion county.

By same—

An act for the benefit of the University Club of Louisville.

By same—

An act to repeal an act, entitled "An act to prescribe and define the jurisdiction of the Marion Circuit Court at its June term of each year."

By Mr. McCann, from the same committee—

An act to amend an act to incorporate the Kaiser Kalder Grosse Benevolent Society of the city of Louisville.

By same—

An act to amend section 28 of the Criminal Code of Practice.

By Mr. Anderson, from the Committee on Codes of Practice—

An act to amend section 36 of chapter 2 of title 3 of the Code of Practice in criminal cases.

By Mr. Darby, from the same committee—

An act to amend the charter of the town of Sebree City, in Webster county.

By same—

An act to repeal an act, entitled "An act, entitled 'An act to regulate the jurisdiction of the Webster County Court.'"

By same—

An act to amend an act, entitled “An act to incorporate the Carrollton and Prestonsville Bridge Company.”

By Mr. Paul, from the same committee—

An act for the benefit of the Pulaski County Court.

By same—

An act to empower the county levy court of Pulaski county to provide for the immediate payment of claims against the county.

By Mr. McCain, from the same committee—

An act to prevent stock from running out upon the turnpike and public highways in the Smithfield voting precinct, in Henry county, and prescribing a penalty therefor.

By same—

An act to make the office of county court clerk and county surveyor of Henry county compatible.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the city of Ludlow, in Kenton county,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Hannah, from the Committee on Courts of Justice—

An act to change and fix the time of holding the courts in the Thirteenth Judicial District.

By same—

An act to amend an act, entitled “An act to incorporate the Ashland Water Supply Company,” approved April 3, 1890.

By same—

An act to incorporate the Citizens’ Electric Light, Power and Gas Light Company of Louisa.

By Mr. Goebel, from the same committee—

An act to amend the charter of the city of Covington.

By same—

An act to amend the charter of the town of Bellevue, Campbell county.

By same—

An act to increase the jurisdiction of the quarterly court of Pike county.

By same—

An act to establish an additional justice of the peace district in Mason county.

By same—

An act for the benefit of Elizabeth H. Reed.

By Mr. McCann, from the same committee—

An act to amend the charter of the city of Newport.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to authorize the county court of Butler county to appropriate money for the purpose of detecting and prosecuting the murderers of Granville Gray, in Butler county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay moved to recommit to the Committee on General Statutes a bill, which originated in the House of Representatives, entitled

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

And the question being taken thereon, it was decided in the affirmative.

Mr. Pieratt moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to authorize the Johnson County Court of Levy and

Claims to issue and sell the bonds of said county, and provide for the payment of same, for the purpose of building a courthouse and clerks offices in said county, and provide for the appointment of a treasurer for said county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Pieratt proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend section 710, Civil Code of Practice,

Reported the same without amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 710 of the Civil Code of Practice be amended by striking out and repealing the following part thereof, viz: "Unless the defendant or defendants all reside in the district, and there be an acting justice of the peace and an acting constable in such district."

Mr. Darby moved to amend said bill by striking out the second section thereof.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Speaker of the Senate announced the appointment of L. J. Blakely to be Assistant Enrolling Clerk of the Senate, vice J. W. McAuliffe.

Whereupon Mr. Blakely took the oath prescribed by the Constitution and Laws of the Commonwealth.

Leave was granted to bring in the following bills :

On motion of Mr. Stewart—

1. A bill for the benefit of Jefferson Ison, of Letcher county.

On motion of same—

2. A bill to incorporate the Elkhorn and Pineville Railway Company.

On motion of same—

3. A bill to incorporate the Salyersville, Prestonsburg and Norfolk Railway Company.

On motion of same—

4. A bill to incorporate the Elkhorn Land and Mining Company.

On motion of same—

5. A bill to amend the charter of the town of Prestonsburg.

On motion of same—

6. A bill to authorize and empower the court of levy and claims of Floyd county to sell and convey the old court-house property in the town of Prestonsburg.

On motion of same—

7. A bill to incorporate the Prestonsburg and Southern Railway Company.

On motion of same—

8. A bill to incorporate the Prestonsburg Water-works Company.

On motion of same—

9. A bill to incorporate the Big Sandy Oil and Natural Gas Company.

On motion of same—

10. A bill to incorporate the Elkhorn and Big Sandy River Bridge Company.

On motion of same—

11. A bill to amend the charter of the town of Pikeville, in Pike county.

On motion of same—

12. A bill for the benefit of W. V. Lusk, surveyor of Letcher county.

On motion of Mr. Paul—

13. A bill, entitled "An act to amend an act, entitled 'An act to prohibit the sale of spirituous, vinous and malt liquors south

of the Cumberland river and west of South Fork river, or either side of said streams where they border on said district, in Pulaski county.' ”

On motion of Mr. Cochrell—

14. A bill to allow the county judge of Montgomery county to practice law in certain cases.

On motion of Mr. McCann—

15. A bill in relation to telegraph and telephone companies.

On motion of Mr. Breckinridge—

16. A bill to regulate the transportation of coal by railroad corporations in this Commonwealth.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, 4th, 5th, 6th, 8th, 9th, 10th, 11th, and 12th; the Committee on Railroads the 2d, 3d, 7th, and 16th; the Committee on Codes of Practice the 13th; the Committee on the Judiciary the 14th, and the Committee on Courts of Justice the 15th.

And then the Senate adjourned.

THURSDAY, APRIL 17, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled “An act to incorporate the Union Insurance Company of Louisville.”

An act to regulate the duties of the trustee of the jury fund of Jefferson county.

An act to change the boundary lines between Washington, Anderson and Mercer counties.

An act for the benefit of Thomas J. Starks, of Allen county.

An act to amend section 5 of chapter 79, General Statutes.

An act to amend an act, entitled "An act to incorporate the town of Enterprise, in Carter county."

An act to incorporate the Shelby and Spencer Fishing and Game Club.

An act to incorporate the Avenstoke and Wilson Creek Turnpike Company.

An act to incorporate the Bank of Livermore.

An act for the benefit of the Mayfield Water and Light Company, legalizing all defects which may exist in the organization and proceedings of same, and authorizing it to sell bonds and make mortgages.

An act to amend article 26, chapter 29 of the General Statutes.

An act to provide for the punishment of petit larceny in Graves county.

An act to amend section 5, article 2, chapter 45, in reference to fugitives from justice, General Statutes.

An act to change the corporate limits of the town of Greenville, in Muhlenburg county.

An act to amend an act, entitled "An act to incorporate the town of Brandenburg, in Meade county."

An act to amend article 5, chapter 28, General Statutes, entitled "Courts."

An act regulating the conveyance of cemetery lots in the town of Russellville, Logan county, Kentucky.

An act to incorporate the Covington Trust Company.

An act to incorporate the Old Alton and New Alton Turnpike Road Company, in Anderson county.

An act to incorporate the Deposit Bank of Middlesborough.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to repeal an act, entitled "An act to better protect turnpike roads in which the State is interested, which act was approved May 15, 1886.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend section 32, article 2 of chapter 39 of the

General Statutes, so far as the same applies to Hardin county.

An act to regulate municipal elections in the city of Bowling Green.

An act to provide for registration in the city of Bowling Green.

An act for the benefit of commissioners and receivers.

An act to amend the charter of the city of Clinton.

An act to prevent stock running at large on the turnpike roads in Montgomery county.

An act for the benefit of Katy Ann Gillen, of Bath county ;

An act to charter the Cowan Station and Battle Run Turnpike Road Company, Fleming county.

An act to amend the charter of the Warren Deposit Bank.

An act to incorporate the Junction Turnpike Company.

An act to amend an act, entitled "An act to incorporate the Mechanics' Building and Loan Association of Lexington."

An act to amend an act, entitled "An act to incorporate the Bowling Green Land and Improvement Company."

An act to amend an act, entitled "An act to incorporate the Central Transfer Company," approved April 16, 1884.

That they had passed bills of the following titles, viz :

1. An act to enforce the satisfaction of judgments against Railroads.

2. An act authorizing the county judge of Simpson county to appoint a board or committee to sell real estate belonging to Simpson county.

3. An act for the benefit of the sureties of Geo. S. Adamson, late sheriff of Bracken county.

4. An act for the benefit of the town of Russellville.

5. An act for the benefit of Peter C. Sower.

6. An act to prevent false timing at trotting contests in the Commonwealth of Kentucky.

7. An act to amend an act, entitled "An act to incorporate Carr Institute, in Fulton county," approved March 9, 1882.

8. An act for the benefit of E. L. Garrett, James Carman and John W. Wrather, trustees in and for common school district No. 42, Graves county, Kentucky.

9. An act to further amend the act to incorporate the town of New Castle, in Henry county.

10. An act for the benefit of the clerk of the Washington County Court.

11. An act to prevent stock from running at large on the Mt. Sterling and Maysville Turnpike Road in Montgomery county.

12. An act to provide for the registration of voters in the county of Powell.

13. An act to amend and change the boundary lines of the corporate limits of the town of Mount Pleasant, in Harlan county.

14. An act to establish a city government for the town of Catlettsburg, in Boyd county.

15. An act to legalize an appropriation of fifteen hundred dollars and the levy of an ad valorem tax of eight cents on each one hundred dollars of taxable property in Crittenden county, Kentucky, made by the county court of said county for the benefit of those who suffered from the cyclone.

16. An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Pendleton county.

17. An act to amend an act, entitled "An act to incorporate the town of Wallonia, Trigg county," approved March 16, 1878.

18. An act to repeal an act, entitled "An act to amend section 19, chapter 42 of General Statutes, title 'Ferries,'" approved May 15, 1886.

19. An act for the protection of fish in the various running public streams tributary to the Ohio and Licking rivers, in Kenton county.

20. An act to amend section 6, article 8, chapter 96, titled "Schools."

21. An act to regulate the toll upon turnpike roads in Bracken county.

22. An act to incorporate the Stone Lick Turnpike Road, in Bracken county.

23. An act to authorize the Walper Creek Turnpike Road Company to collect toll when the bridge is out of repair, provided they make a good passway around the same.

24. An act to incorporate the Pleasant Grove Cemetery Company.

25. An act for the benefit of W. M. Callis, of Trimble county.

26. An act to amend chapter 691, approved April 11, 1890, entitled "An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county," approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds, levy and collect taxes to pay same, approved April 1, 1882.

27. An act to change the boundary lines between Ohio and Butler counties.

28. An act to permit magisterial districts in the county of Boone to vote on bridge tax and build bridges.

29. An act to repeal an act, entitled "An act for the benefit of E. L. Wisdom and Green Atwell.

30. An act to allow the citizens of this Commonwealth to meet, organize, hold lodge meetings or religious services in the district school-houses of this State.

31. An act to repeal chapter 644, approved April 14, Session Acts of 1885-6.

32. An act to incorporate the Shelbyville Water Works Company, and to authorize the city of Shelbyville to take stock therein.

33. An act to authorize the trustees of Greenville Seminary to sell and convey the Greenville Seminary lot and appurtenances, and to turn the proceeds and other assets of said seminary over to the trustees of common school district No. 14 of Muhlenburg county, for certain purposes.

34. An act to incorporate the Cypress Pond Draining Company of Union county.

35. An act to amend an act, entitled "An act to amend the charter of the Owensboro Safety Vault and Trust Company," approved March 26, 1890.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 4th, 18th, 27th and 32d to the Committee on General Statutes; the 3d, 21st and 22d to

the Committee on Codes of Practice ; the 5th to the Committee on Claims ; the 6th, 23d, 24th, 28th and 31st to the Committee on Propositions and Grievances ; the 7th, 8th, 20th and 33d to the Committee on Education ; the 9th and 25th to the Committee on Public Expenditures ; the 10th, 13th, 14th and 19th to the Committee on Courts of Justice ; the 11th, 26th and 30th to the Committee on Agriculture and Manufactures ; the 12th and 16th to the Committee on Privileges and Elections ; the 17th and 29th to the Committee on the Judiciary ; the 34th to the Committee on Federal Relations, and the 15th and 35th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed, the objections of the Governor to the contrary notwithstanding, a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

Ordered, That said bill and accompanying veto be referred to the Committee on Revenue and Taxation.

Mr. Peterman, from the Committee on Education, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prohibit the destruction of fish in the Kentucky river and its tributaries, and to prescribe a penalty therefor,

Reported the same, without amendment.

On motion of Mr. Peterman—

Ordered, That said bill be recommitted to the Committee on General Statutes.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act for the benefit of Mrs. D. Howard Smith, Mrs. W. C. Bullock and Thomas W. Scott.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer for one hundred dollars, each, in favor of Mrs. D. Howard Smith, Mrs. W. C. Bullock and Thomas W. Scott, for the services of D. Howard Smith, W. C. Bullock and Thomas W. Scott as commissioners appointed by the Legislature of Kentucky to settle the claim of Newton Craig against the Commonwealth.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	J. B. Hannah,	J. J. Paul,
R. J. Breckinridge,	J. P. Huff,	A. L. Peterman,
B. F. Cockrell,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	J. H. Shearer,
F. W. Darby,	J. H. Lunsford,	A. H. Stewart,
W. W. Dickerson,	D. L. May,	G. Terry,
Sam E. English,	James H. Mulligan,	J. S. Wortham,
G. W. Gates,	J. W. McCain,	D. W. Wright—32.
T. L. Glenn,	John McCann,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Leave was granted to bring in the following bills :

On motion of Mr. Bradley—

1. A bill to incorporate the Midway Cemetery Company.

On motion of Mr. Lunsford—

2. A bill to amend an act, entitled “An act to incorporate the town of Crafton, in Christian county,” approved February 6, 1872.

On motion of same—

3. A bill to amend an act to incorporate the St. Charles Coal Company, which said act became a law without the signature of the Governor on the 12th day of March, 1873, and is contained

in chapter 402, Acts of the General Assembly of the Commonwealth of Kentucky of 1873.

On motion of Mr. Cockrell—

4. A bill concerning the subscription of Clark county to the Kentucky Union Railway Company, being amendatory of an act approved April 12, 1888, entitled "An act to amend an act to regulate subscriptions to the capital stock of railroad companies in Clark county."

On motion of Mr. Hays—

5. A bill to amend the charter of the Bank of Commerce.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Internal Improvements the 2d and 3d; the Committee on Railroads the 4th, and the Committee on Banks and Insurance the 5th.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz:

By Mr. Gates, from the Committee on Courts of Justice—

An act to levy a tax to pay the floating debt of the city of Owensboro.

By same—

An act authorizing the transfer of a balance of railroad fund to the general revenue fund of the city of Owensboro.

By same—

An act to authorize the common council of the city of Owensboro to issue bonds for the purpose of building a city hospital.

By same—

An act to amend the charter of the city of Owensboro so as to empower said city to recover the taxes by suit.

By same—

An act to empower Daveiss county to dispose of the pauper grave yard, and to acquire other land for such use.

By same—

An act in relation to the roads and bridges in Daveiss county.

By same—

An act to amend an act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daveiss county, Kentucky.

By Mr. Anderson, from the Committee on General Statutes—

An act to amend an act, entitled “An act to reduce into one the several acts in relation to the town of Shelbyville,” approved March 22, 1873.

By Mr. Peterman, from the Committee on Education—

An act authorizing the establishing of a graded free school in District No., 16, Fulton county, Kentucky.

By same—

An act to establish a system of public graded schools in the city of Pineville.

By same—

An act to incorporate an institution of learning in the town of Munfordville, Hart county, under the name and style of Green River Collegiate Institute.

By same—

An act to amend an act, entitled “An act for the benefit of common school districts Nos. 14, 18 and 23 in Fulton county.”

By same—

An act to establish a public graded school at the Mouth of Beaver, in Floyd county.

By same—

An act to amend an act, entitled “An act to incorporate Carr Institute, in Fulton county,” approved March 9, 1882.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE OFFICE,
FRANKFORT, April 16, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with your advice and consent will appoint, E. M. Flack a member of the Board of Commissioners

of the Western Kentucky Lunatic Asylum, to succeed George O. Thompson, resigned, for the period of four years from the 26th day of April, 1890.

Very respectfully,

S. B. BUCKNER.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the Senate, of the following titles, viz:

An act to empower the trustees of Macedonia Church, near Hanson, in Hopkins county, to sell the church lot and building, and reinvest the proceeds in another house of worship.

An act to incorporate the Kentucky Woman's Confederate Monument Association.

An act to incorporate the Citizens' Vault and Trust Company of Mt. Sterling.

An act to provide for sewerage in the city of Newport.

An act to amend the charter of the Shelby County Trust Company.

An act to repeal an act, entitled "An act to incorporate the town of Clarkson, in Grayson county," approved May 1, 1888.

Resolution allowing mileage to the Speaker of the Senate.

Resolution providing for the loan of guns belonging to the State to certain persons and organizations.

By unanimous consent, Mr. Dickerson reported a bill, entitled

An act to amend an act, approved April 2, 1890, entitled "An act to incorporate Mitchell, Finch & Company's Bank of Maysville, Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in House of Representatives, entitled

An act to change the time of holding the circuit courts in the counties of Jackson and Laurel ;

Which was granted.

Whereupon the Speaker appointed Mr. Paul said committee on the part of the Senate.

After a short time Mr. Paul, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Paul moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act for the benefit of the Fleming county Farmers' Bank ;

An act to incorporate the Bohon and Hopewell Turnpike Company ;

An act to amend an act to incorporate the Deposit Bank of Bourbon county ;

An act to incorporate the Richmond Brick Making Company.

An act to charter the Mt. Pleasant Cemetery Company, in Ballard county ;

An act to amend an act, entitled "An act to repeal an act, entitled 'An act to authorize the people of Lincoln county to vote on prohibiting sale of liquors in said county ;'" said county to vote on said repeal by striking out the word "repealed," in first section, and insert in lieu thereof the word "suspended ;"

An act to charter the Franklin Woolen Mill Company ;

An act to amend, revise and reduce into one the several acts in relation to the town of Mt. Washington, in Bullitt county ;

An act to incorporate the Equality Union Cornet Band Company :

An act to incorporate the Grant's Lick and Old State Road Turnpike Road Company, in Campbell county ;

An act prohibiting the charging of certain persons toll on turnpike roads in Woodford county ;

An act to incorporate the town of Mt. Savage, in Carter county ;

An act to extend the corporate limits of the city of Richmond ;

An act to incorporate the Bethlehem and Bryant Station Extension Turnpike Company ;

An act to incorporate the Central Bank ;

An act to incorporate the Harris-Seller Banking Company of Versailles ;

An act to resubmit to the qualified voters of Pulaski county the question as to whether said county shall subscribe to the capital stock of the Cincinnati, Alabama and Atlantic Railroad Company ;

An act to repeal an act to repeal an act to regulate the advertisement of judicial sales of land in Hardin and Grayson counties, approved April 8, 1884, in so far as it relates and applies to Hardin county, approved April 20, 1888, and to re-enact the same and make it apply to Hardin county ;

An act to amend an act to incorporate the Eminence Live Stock Fair Association of Henry county, approved February 18, 1888 ;

An act to change the name and approve and amend the charter of the W. T. Pyne Mill and Supply Company, of Louisville, Kentucky ;

An act concerning the Bourbon County Court of Claims ;

An act to amend the charter of the town of Danville ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Kentucky Soldiers' Home ;

An act to incorporate the Union Investment Company ;

An act to incorporate the Central Kentucky Guarantee and Trust Company ;

An act to authorize an increase of the number of directors in the Bank of Kentucky and its branches ;

An act to amend the charter of the city of Newport ;

An act incorporating the Citizens' Electric Light Company of Dayton, Kentucky ;

An act to amend, revise and reduce into one all the several acts concerning the town of Madisonville, and to reincorporate said town ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Wright, from the Special Committee on Lotteries, to whom was referred leave to bring in a bill, entitled

An act in relation to lotteries and the suppression of same,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Newman—

Ordered, That said bill be printed and recommitted to the Committee on Lotteries, with leave to report at any time.

Mr. Wortham, from the Committee on Geological Survey, to whom was referred leave to bring in a bill, entitled

An act for the continuation of the Geological Survey,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Mulligan—

Ordered, That the further consideration of said bill be postponed, and that it be printed and made the special order of the

day for Tuesday, April 22, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Dickerson, from the Committee on Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend title 4, chapter 2, section 56 of the Civil Code of Practice,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of bills, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Augusta, and exempt certain property from taxation for city purposes ;

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton county ;

Which was granted.

Whereupon the Speaker appointed Mr. Dickerson said committee on the part of the Senate.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bills were handed in at the Clerk's desk.

By unanimous consent, the rules were suspended, and the Senate took up for consideration a bill, which originated in the Senate, entitled

An act to amend title 9, chapter 2, sub-division 3 of Civil Code of Practice, title "Verdict."

On motion of Mr. Darby—

Ordered, That said bill and the proposed amendments thereto be recommitted to the Committee on Codes of Practice.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the same, viz :

By Mr. Paul, from the committee on Codes of Practice—

An act to amend an act, entitled “An act to prohibit the sale of spirituous, vinous and malt liquors south of the Cumberland river and west of South Fork river, or on either of said streams where they border on said district in Pulaski county.”

By Mr. Patteson, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to incorporate the Lebanon Water Works Company.”

By Mr. Bradley, from the Committee on Railroads—

An act concerning the subscription of Clark county to the Kentucky Union Railway Company, being amendatory of an act approved April 12, 1888, entitled “An act to regulate subscriptions to the capital stock of Railroad companies in Clark county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May was appointed a committee on the part of the Senate, to withdraw from the House of Representatives the announcement of the passage by the Senate, of a bill, which originated in the House of Representatives, entitled

An act to authorize the Mount Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville and Southwestern Railroad Company.

After a short time Mr. May, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Darby, from the Committee on Codes of Practice, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend subsection 3 of section 51 of the Civil Code,
Reported the same, with an amendment as a substitute there-
for.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That subsection 3 of section 51 of the Civil Code of Practice be amended by adding thereto the following words, to-wit: "In an action against a railroad company the summons may be served in any county upon the defendant's chief officer or agent who may be found in this State; or it may be served in the county wherein the action is brought upon the defendant's chief officer or any agent of the defendant who may be found therein; or, in cases where none of the officers of defendant named in subsection 33 of section 732 of the Civil Code reside in the county, it may be served on any member of the board of directors of defendant in any county in the State; or, in cases where defendant has no officer or agent residing or to be found in the county, it may be served by posting up a copy thereof in the principal depot in the county used in connection with the railroad owned or operated by defendant for at least ten days before the term of the court at which the defendant is commanded in the summons to answer: *Provided*, Said court has jurisdiction of the subject of the action under the provisions of section 72 of the Civil Code. And in an action against a railroad company whose road is operated by some other corporation or company or person, service of the summons upon the officer or agent of the corporation, company or person operating the road shall be valid service upon the defendant company."

§ 2. All acts, general and special, in conflict with the provisions of this act are, to the extent that they conflict with this act, hereby repealed.

§ 3. This act shall take effect from and after its passage.

Said proposed substitute reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section fifty.one (51) of the Civil Code of Practice be amended by adding thereto the following, as an additional subsection (No. 5), viz: It shall be the duty of any corporation owning a railroad located, in whole or in part, within this State, and having no officer or agent residing or located in this State, on whom service of summons may be had, as provided in said section 51, to designate, by writing filed in, and spread upon the records of, the county court of each county in which such railroad, or any part thereof, may lie, some person or persons, residing in one or more of said counties, on whom summons requiring it to answer may be served. Any such corporation, whose railroad is operated by another corpo-

poration, and which shall have failed to so designate such person or persons, or to re-designate, in case of death or removal of each person theretofore designated, may, in an action filed in any court of a county in which such failure exists, be summoned by service as now provided, on an officer or agent of the corporation so operating its railroad; and, for the purpose of such service, the officers and agents of the corporation so operating shall be regarded as the officers and agents of the owner of the railroad. The facts authorizing such service shall be stated in an affidavit of plaintiff or his attorney, filed before same shall be had, and shall also be stated in the return. As part of such service the clerk shall mail, postage paid, to defendant corporation, or its chief officer or agent, or a director or managing agent, a copy of the summons, the facts being noted on the petition or statement, and recorded on the docket.

Mr. Lindsay proposed the following amendment as a substitute for said proposed substitute, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 51 of the Civil Code of Practice be amended as follows: Where the defendant corporation is the owner or the lessee of a railway in this State, or the builder or constructor of a railway in this State, and can not be served with summons under existing laws, then the person or corporation controlling or operating the railway so owned or built or constructed, shall be treated as the representative of the defendant, and service of summons upon such of the officers or agents of the persons or corporation operating or controlling the railway as would be required if such controller or operator were the party sued, shall be a sufficient service of summons upon the defendant to the action; but such service must be twenty days before the commencement of the term, and the facts authorizing the same must be made to appear by the return of the officer, or the affidavit of some person other than the plaintiff in the action, and the appearance of the defendant to move for the quashal of the service of the summons, shall operate as an appearance for all the purposes of the action, and the same shall stand for trial at the succeeding term of the court in case the motion to quash shall prevail.

§ 2. This act shall take effect from its passage.

And the question being taken on the adoption of the amendment proposed by Mr. Lindsay, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as follows, viz:

An act to amend section 51 of the Civil Code of Practice.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission," approved March 8, 1876.

Pending the consideration of said bill, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

FRIDAY, APRIL 18, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the lodge of Kentucky Knights of Odd Fellows.

An act to increase the jurisdiction of magistrates in the city of Covington to two hundred dollars.

An act to incorporate the Exchange Bank of Owingsville.

An act in relation to the moving of traction and portable engines over and along the roads and passways of this State.

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company," and the amendments thereto.

An act to amend the charter of the Independence and Colemansville Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Richmond Hotel Company," approved April 5, 1888.

An act to establish a court of common pleas in the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott.

An act to provide for the registration of voters in the county of Christian.

An act to amend an act, entitled "An act to amend and reduce into one all acts incorporating the Masonic Savings Institution.

An act to amend an act, entitled "An act to provide for and regulate the ventilation of coal mines in this State, and for the better protection of miners," approved May 10, 1884, and also to amend an act amendatory of said act, approved April 6, 1888.

An act to provide for removing obstructions in water-courses in Marshall county.

An act to provide for the appointment of a clerk for the jury commissioners of Jefferson county.

An act to incorporate the Central Electric Company.

An act to declare Elkhorn creek, in Pike county, a navigable stream.

An act to change the time of holding the Lincoln County Court from first Monday in each month to the second Monday.

An act to authorize a certain portion of Jessamine county to subscribe to the capital stock of the East Hickman and Jessamine County Turnpike Company, and to provide for the payment of the same.

An act for the benefit of W. B. Edwards, late clerk of the Hart Circuit Court.

An act to amend an act, entitled "An act to incorporate the town of Rosine, in Ohio county, Kentucky," approved March 16, 1878.

An act to prohibit the owners or bailees of horses, cattle or other animals from allowing the same to go at large in Mt. Zion magisterial district, in Grant county, and to make the owner or bailee of such animals liable for all trespasses, damages or injuries committed by them.

An act to incorporate the Jackson Bridge Company.

An act to amend an act, entitled "An act to amend and reduce into one all the several acts incorporating West Liberty, in Morgan county," approved February 25, 1884.

An act to incorporate the East Fork Turnpike Road Company, in Madison county.

An act to incorporate the Camdenville and Johnsonville Turnpike Road Company, in Anderson county.

An act to amend article 13, section 7, chapter 28, General Statutes, title "Courts."

An act to incorporate the Persimmon Grove and Grant's Lick Turnpike Road Company.

An act to repair and keep in repair the public roads of Mercer county.

An act to amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county."

An act to amend the charter of the town of Hustonville, Lincoln county.

An act to amend an act, entitled "An act to incorporate the Newport Electric Street Railway Company," approved March 21, 1890.

An act to amend section 3, article 2, chapter 106, of the General Statutes, so far as the same applies to Henry and Pendleton counties, etc.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Richmond Lodge No. 25, Free and Accepted Masons.

An act to incorporate Richmond Royal Arch Chapter No. 16, Free and Accepted Masons.

An act to incorporate Richmond Commandery No. 19 of Knights Templar.

An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous and malt liquors shall be sold in said county," approved March 15, 1890.

An act to incorporate the Big Sandy Telegraph Company.

An act to authorize the Johnson county court of levy and

claims to issue and sell the bonds of said county, and provide for the payment of same for the purpose of building a courthouse and clerks offices in said county, and provide for the appointment of a treasurer for said county.

That they had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the city of Newport.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act incorporating the People’s Homestead and Savings Association.”

By Mr. Berry, from the Committee on Federal Relations—

An act to incorporate the Cypress Pond Draining Company of Union county.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to incorporate Clay City, in Powell county.

By same—

An act to incorporate Three Forks City, in Lee county.

By Mr. Peterman, from the Committee on Education—

An act to amend section 6, article 8 of the General Statutes, titled “Schools.”

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Mutual Savings Bank of Hickman, Kentucky.

By Mr. English, from the Committee on Internal Improvements—

An act to amend chapter 923 of the Acts of the General Assembly of Kentucky, approved April 7, 1888, entitled “An act to incorporate the town of Springville, in Greenup county.”

By same—

An act for the benefit of Greenup county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May moved to reconsider the vote by which the Senate

had passed, with an amendment thereto a bill, which originated in the House of Representatives, entitled

An act to authorize the Mt. Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville Southeastern Railroad Company.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

By unanimous consent, Mr. May withdrew the amendment heretofore adopted by the Senate to said bill.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky Fair Association.

An act to incorporate the Daniel E. O'Sullivan Printing and Publishing Company.

An act to provide for sewerage in the city of Dayton.

An act to amend an act, entitled "An act to incorporate the Louisville Public Warehouse Company."

An act to incorporate Iron Banks Lodge No. 802, Knights of Honor, Columbus, Kentucky.

An act to incorporate the Hillsboro Cemetery Company of Fleming county.

An act to amend an act, entitled "An act to incorporate the Newport Printing and Newspaper Company," approved April 8, 1878.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend chapter 94 of General Statutes,' " approved February 19, 1880.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the town of Earlington," approved March 10, 1886.

An act to amend an act, entitled "An act to incorporate the Louisville Railway Company," approved January 22, 1867.

By unanimous consent, Mr. Lunsford reported a bill, entitled

An act to establish an additional voting precinct in Hopkins county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to amend the charter of the Bank of Commerce,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Newman reported a bill, entitled
An act to incorporate the National Order Mutual Aid of Kentucky.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act to incorporate the city of Flemingsburg,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Bradley, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Florence and Covington Street Railway Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That George H. Buffington, Robert Simmons, Leonard Stephens, Henry H. Verkamp, Fred Rich, T. L. Swetman, and George M. Bedinger, and their successors, be, and they are hereby, created a body-politic and corporate, under the name and style of the Florence and Covington Street Railway Company, and under that name shall have perpetual succession, with power to contract and to be contracted with, sue and be sued, and shall possess all other powers incident to similar corporations.

§ 2. The business of said company shall be to construct, maintain and operate a street railway, with all necessary tracks to enable it to operate its said line of street railway on, over, along or near the Covington and Lexington Turnpike Road, between the intersection of the Union and Florence Turnpike

Road, with the Covington and Lexington Turnpike, in the town of Florence, in Boone county, to the Cincinnati Southern Railway, in the county of Kenton, and from thence on the most practicable and feasible route to the city of Covington. If the corporation hereby created shall be unable, by agreement or contract with the said Covington and Lexington Turnpike Company or other owners of lands upon which the track of the proposed street railway may be located, to procure the right of way for said street railway, or the necessary lands for the depots, stations, turnouts, and side-tracks, then the street railway company shall have full power and authority, under the general condemnation laws of this Commonwealth, to condemn for its use so much of said turnpike road as may be necessary, or to locate its road on the land of others, and condemn so much as may be necessary for its track, depots, stations, turn-outs, side-tracks, and any and all other property which may be necessary for its use.

§ 3. The capital stock of said corporation shall be fifty thousand dollars, and may be increased by the vote of a majority of its stockholders to an amount not exceeding one hundred thousand dollars. The stock shall be divided into shares of fifty dollars each, to be issued and transferred in such manner and upon such conditions as the board of directors may prescribe.

§ 4. The cars used on said road may be propelled either by horse or electric power, whichever the board of directors may deem best.

§ 5. The board of directors, at any time they may deem it wise or necessary, may issue the bonds of said corporation to an amount not exceeding fifty thousand dollars, and sell the same to raise the money necessary to construct and equip said road and put the same in running order. The bonds herein provided to be issued shall be of such an amount each, and run for such length of time before maturity, and bear such rate of interest not exceeding six per cent. as the board may determine; and to secure the payment of said bonds and interest, the board of directors may mortgage said road, with its right of way, its track, depots, stations, turnouts, side-tracks, cars, together with all the rights, privileges and franchises whatsoever belonging to said corporation.

§ 6. The business of said corporation shall be conducted and managed by a board of five directors, who shall elect one from their number president, and may appoint such other officers and agents as they may deem necessary to the proper conduct of their business, with power to remove the same at pleasure. The corporators named in the first section of this act shall be and constitute the first board of directors, and may, at any time, meet and organize as such and elect their president; and in case of the death, resignation or refusal to act of any of the said corporators, such vacancy shall be filled by the remaining

corporators, and thereafter all vacancies in the board shall be thus filled, and the persons thus appointed shall continue in office until their successors shall have been duly chosen. Said corporators or any three of them may, at any time, open books for subscription of stock in said corporation, and when as much as five hundred shares of stock shall have been subscribed and paid into said corporation, or to any agent authorized to receive the same, said corporation shall organize and proceed to business.

§ 7. Said board of directors may adopt all needful by-laws and regulations for the conduct of the business of the corporation not in conflict with the laws of this State or the Constitution or laws of the United States, and may alter and amend the same at will, prescribing the duties, compensation and tenure of office of such agents, officers or employes as they may, from time to time, select, and shall make calls for the payment of the subscription to the capital stock in such amount as they may, from time to time, deem necessary.

§ 8. The said railway shall not be so constructed as to interfere with or obstruct the public travel on said turnpike road, either during the construction thereof or in its subsequent operations.

§ 9. Said company shall begin work on said railway within two years, and complete the same within five years from the passage of this act.

§ 10. This act shall take effect from and after its passage.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Goebel moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Conner and Hays, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
W. F. Berry,	D. L. May,	Chas. B. Poyntz,
R. J. Breckinridge,	John McCann,	G. Terry,
W. W. Dickerson,	John P. Newman,	J. S. Wortham,
T. L. Glenn,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative, were—

Ben F. Bradley,	John R. Kemp,	Phil Roberts,
B. F. Cockrell,	William Lindsay,	J. H. Shearer,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart—13.
R. G. Hays,	Chas. Patteson,	

So said bill was rejected.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Washington county, by which the Washington County Court is not allowed to appropriate a greater sum than \$500 per mile to aid in constructing turnpike roads ;

An act to amend the charter of the town of West Covington, Kenton county ;

An act to amend an act, entitled "An act to reduce into one the several acts in relation to the town of Shelbyville," approved March 22, 1873 ;

An act to incorporate the town of Yelvington, in Daveiss county ;

An act to incorporate the Louisville Fair ;

An act to amend the charter of the town of Pembroke, in Christian county ;

An act to repeal an act, entitled "An act to repeal an act, entitled 'An act to incorporate the Metropolis and Kentucky Bridge Company,' " approved March 15, 1869, and to re-enact and amend "An act to incorporate the Metropolis and Kentucky Bridge Company ;

An act to incorporate the Piedmont Deposit Bank, at Irvine, Kentucky ;

An act to amend an act, entitled "An act to establish and incorporate a Bank of Deposit and Discount in Burlington, in Boone county ;

An act to incorporate the Mt. Sterling Banking Company ;

An act to incorporate the Falls City Running and Trotting Club in Jefferson county ;

An act to amend an act, entitled "An act to incorporate the Louisville Fire and Life Protective Association of Louisville," approved March 24, 1888 ;

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Shepherdsville, Bullitt county," approved April 30, 1884 ;

An act to incorporate the West End Mutual Investment Company ;

An act to incorporate the Madison Fire Insurance Company of Richmond, Kentucky ;

An act to incorporate the Maple Turnpike Road Company ;

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Waddy," approved January 10, 1890 ;

An act to amend title 4, chapter 2, section 56 of the Civil Code of Practice ;

An act to incorporate the Farmers' and Labors' Union Exchange of Calloway county ;

An act to incorporate the town of Big Clifty, in the county of Grayson ;

An act to incorporate the Northern Kentucky Land Title Insurance Company ;

An act to incorporate the Prestonsburg, Beaver Valley and Big Stone Gap Railroad Company ;

An act to amend an act, entitled "An act of incorporation of the German National Insurance Company of Louisville ;

An act to incorporate the Shaefer-Meyer Brewing Company ;

An act to authorize the closing of public offices in the city of Louisville and the county of Jefferson on Saturday afternoon from May 1st to October 1st, both inclusive ;

An act to protect passengers and steamboatmen on the Big Sandy river ;

An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county," approved March 15, 1890 ;

An act to incorporate the Olive Branch Club ;

An act to amend the charter of the city of Ludlow, and procure a water supply for said city and its inhabitants ;

An act to incorporate the Twelfth Ward Bandana Democratic Club of the city of Louisville ;

An act to amend the charter of the town of Springfield ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to prevent the sale of spirituous liquors in the vicinity of schools or churches, etc., in the city of Mt. Sterling ;

An act regulating the election of directors, trustees or managers of the institutions or corporations of the city of Louis-

ville, whose directors, trustees or managers are by law elected by the general council of the city of Louisville ;

An act to amend and continue in force an act, entitled "An act to incorporate the Buffalo and Hodgenville Railroad Company," approved April 12, 1888 ;

An act to incorporate the Kentucky River and Virginia Railroad Company ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same,' " approved March 18, 1884 ;

An act to incorporate the Louisville and Danville Railroad Company ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the House of Representatives, entitled

An act to amend the charter of the city of Paducah, Kentucky ;

Which was granted.

Whereupon the Speaker appointed Mr. Glenn said committee on the part of the Senate.

After a short time, Mr. Glenn, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Glenn proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants and tobacco dealers on commission," approved March 8, 1876.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That hereafter warehousemen and commission merchants engaged in selling tobacco at public auction shall receive as commission or compensation therefor no greater sum than two dollars for each hogshead from the owner thereof or his agent.

§ 2. That in the event the sale of any hogshead of tobacco is rejected by the owner or his agent, and a resale is made by the same warehouse, or in the same warehouse, no greater sum shall be charged for the resales than one dollar per hogshead for any such resale by the same warehouseman or commission merchant.

§ 3. That in every case where the warehouseman or commission merchant charges to the owner a commission for collecting and paying over to him the money for his tobacco, in addition to the commission of two dollars per hogshead for selling, he, the warehouseman or commission merchant, shall account to the owner as much as one dollar for each hogshead, which sum shall go as a credit on said commission—that is to say, his hogshead shall pay one dollar on the extra commission over and above the two dollars for sale of each hogshead.

§ 4. That in the sale or resale of any hogshead of tobacco there shall be no deduction from the net weight by reason of the sample, but in every instance the owner shall be entitled to full weight, as if no sample had been taken.

§ 5. That no additional charge shall be made for weighing so as to increase the price of selling to a greater amount than is herein specified.

§ 6. That no warehouseman or commission merchant shall per-

chase at auction any tobacco offered for sale in his own warehouse: *Provided, however*, That nothing in this act shall prevent him from purchasing of the owner his tobacco at private sale.

§ 7. That it shall be unlawful for any warehouseman or commission merchant to hypothecate or pledge any tobacco shipped to or stored with him, or issue any warehouse receipt on any tobacco in his possession without the written consent of the owner; and, in the event he does so without said written consent, such pledge or warehouse receipt shall vest no title in the goods in the holder of said pledge or receipt—that is to say, the owner of the tobacco can not be divested of title to his property without his written consent.

§ 8. That each hogshead shall be a separate sale, and stand or be rejected upon its own merits, and in no case shall the owner be charged commission or rejection fees where the buyer rejects the sale—that is to say, if the farmer makes the rejection he is to pay the rejection fees, and when the buyer rejects the sale he must pay the fees on his own rejections.

§ 9. That all claims for rebate in sales made of any tobacco by any warehouseman, inspector or commission merchant, in which reclamation is made or claimed on the sale of any tobacco, it shall be made within sixty days from the date of said sale, and if not so made within that time the claim shall be barred by limitation.

§ 10. That the proprietor of any warehouse or commission house shall, for every violation of this act, be liable to the party aggrieved thereby in the sum of fifty dollars for each violation thereof, to be recovered by a warrant before any tribunal in this State having jurisdiction of the amount, and on the trial the bills, accounts, sale rendered by the warehouse or commission merchant, shall be *prima facie* evidence of guilt.

§ 11. That all acts or parts of acts in conflict with the provisions of this amendment are hereby repealed.

§ 12. This act shall take effect and be in force from and after its passage.

Mr. Lindsay moved to amend said bill as follows, viz :

Strike out "section 4," and insert in lieu thereof the following, viz : "That in the sale or resale of any hogshead of tobacco, the warehouseman shall account for the full weight for which the buyer is required to pay."

Mr. Lindsay also proposed the following amendment to said bill, viz :

Strike out of section 8, lines 5 and 6 the words: "He must pay the fees on his own rejections," and insert these words: "The warehouseman shall charge no rejection fee, but this shall not be construed to require the warehouseman to permit the purchaser to reject any hogshead knocked down to him."

Mr. Anderson proposed the following amendments to said bill, viz :

1. Amend by striking out section 3.
2. Amend by striking out all of section 7 after the word "receipt," in the seventh line thereof.
3. Amend by adding to section 8 the following : "*Provided*, That the buyer shall have no right to reject any sale of any tobacco, unless the seller has first rejected a sale, and then only an equal number of hogsheads or packages as has been rejected by the seller."
4. Amend by striking out section 9.

Mr. Wortham proposed the following amendment as a substitute for said bill, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That hereafter warehousemen and commission merchants engaged in selling tobacco at public auction, shall receive as a selling fee for each hogshead or package no greater sum than two dollars from the owner thereof or his agent.

§ 2. That in the event the sale of any hogshead or package is rejected by the owner or his agent, and a buyer has purchased more than one hogshead or package of a similar character from said owner or his agent at the same warehouse and during the same day's sale, then the buyer shall have the right to reject an equal number of hogsheads or packages of like character as may have been rejected by the owner or his agent ; and each party making or ordering the rejection shall be required to pay his own rejection fee.

§ 3. That in the sale or resale of any hogshead or package of tobacco, the warehouseman or commission merchant shall account to the seller for the full net weight of tobacco contained in each hogshead or package, making no deduction for the value or weight of the sample.

§ 4. That the warehouseman or commission merchant shall be allowed to charge the seller, in addition to the two dollars for selling each hogshead or package, one per cent. on the net proceeds of his tobacco for collecting and paying his money ; and no additional charge shall be made against the seller for weighing so as to increase the fees beyond the sums herein provided.

§ 5. That any warehouseman or commission merchant violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined fifty dollars for each offense.

§ 6. That all acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

Mr. Peterman moved to amend said bill by striking out all after the enacting clause, except sections 4, 8, 11 and 12.

Mr. Glenn proposed the following amendments to said bill, viz:

1. Amend by striking out the enacting clause.
2. Amend by striking out the first section.
3. Amend by striking out the second section.
4. Amend by striking out the third section.
5. Amend by striking out the fourth section.
6. Amend by striking out the fifth section.
7. Amend by striking out the sixth section.
8. Amend by striking out the seventh section.
9. Amend by striking out the eighth section.
10. Amend by striking out the ninth section.
11. Amend by striking out the tenth section.
12. Amend by adding to the end of the ninth section the words, "unless otherwise agreed upon by the seller."
13. Amend by adding to the end of the fifth section the words, "or such price as may be agreed upon."
14. Amend by striking out all the words after the word "house," in the third line of sixth section.

Mr. Dickerson moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCain and Peterman, were as follows, viz:

Those who voted in the affirmative, were—

B. F. Cockrell,	William Lindsay,	J. W. McCain,
Reuben Conner,	J. H. Lunsford,	Chas. Patteson,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
William Goebel,	James H. Mulligan,	J. S. Wortham—13.
J. B. Hannah,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	J. J. Paul,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Phil Roberts,
F. W. Darby,	D. L. May,	G. Terry,
Sam E. English,	John McCann,	D. W. Wright—20.
G. W. Gates,	John P. Newman,	

Mr. Wortham moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Newman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
B. F. Cockrell,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	Phil Roberts,
Sam E. English,	James H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	J. S. Wortham—18.

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	D. L. May,	G. Terry,
G. W. Gates,	John McCann,	D. W. Wright—16.
T. L. Glenn,		

Mr. Berry moved to lay said bill and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	John McCann,
Ben F. Bradley,	T. L. Glenn,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	J. P. Huff,	J. J. Paul,
F. W. Darby,	John R. Kemp,	J. M. Pieratt,
Sam E. English,	D. L. May,	D. W. Wright—18.

Those who voted in the negative, were—

W. H. Anderson,	J. H. Lunsford,	Charles B. Poyntz,
Reuben Conner,	J. W. Martin,	Phil Roberts,
W. W. Dickerson,	James H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	G. Terry,
J. B. Hannah,	A. L. Peterman,	J. S. Wortham—16.
William Lindsay,		

So said bill was disagreed to.

Mr. McCain moved that the further consideration of the special orders of the day be postponed for the day.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	John P. Newman,
R. J. Breckinridge,	William Goebel,	J. J. Paul,
Reuben Conner,	William Lindsay,	Chas. B. Poyntz,
F. W. Darby,	D. L. May,	D. W. Wright—14.
G. W. Gates,	John McCann,	

Those who voted in the negative, were.

W. H. Anderson,	J. H. Lunsford,	A. L. Peterman,
Ben F. Bradley,	J. W. Martin,	J. M. Pieratt,
B. F. Cockrell,	James H. Mulligan,	Phil Roberts,
J. B. Hannah,	J. W. McCain,	J. H. Shearer,
J. P. Huff,	Chas. Patteson,	G. Terry—16.
John R. Kemp,		

Leave was granted to bring in the following bills:

On motion of Mr. Bradley—

1. A bill, entitled “An act to incorporate Buford Lodge No. 494, Free and Accepted Masons, at Midway, Woodford county, Kentucky.

On motion of Mr. Darby—

2. A bill to incorporate the Princeton Belt Railway Company.

On motion of same—

3. A bill to incorporate the Princeton Street Railway Company.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, and the Committee on Railroads the 2d and 3d.

And then the Senate adjourned.

SATURDAY, APRIL 19, 1890.

The reading of the Journal of yesterday was dispensed with.

Leave was granted to bring in the following bill :

On motion of Mr. Pieratt—

1. A bill appointing commissioners to select, locate and designate a place whereon to build the court house, clerk's office and jail of Magoffin county, in the corporate limits of the town of Salyersville.

Ordered, That the Committee on Religion and Morals prepare and bring in the same.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act to incorporate the Richmond Hotel Company.

An act to incorporate St. Leon Lodge No. 69, Knights of Pythias, Scottsville, Kentucky.

An act chartering the Lebanon Bank and Trust Company.

An act to incorporate Graham Lodge No. 208 of Ancient York Masons, located in Scottsville, Allen county.

An act for the better protection of skilled labor, and for the registration of labels, marks, names, brands, or devices covering the products of such labor of associations or unions of working men or women.

An act to incorporate Miles Lodge No. 341, Free and Accepted Masons.

An act to amend an act, entitled "An act to incorporate the Woodford Hotel Company," approved March 10, 1869.

An act to provide for levying a tax and working the public roads of Carlisle county.

An act relating to water-works and electric lights in the town of Russellville, Kentucky.

An act to provide for holding an election to take the sense of

the voters of Canton precinct, in Trigg county, as to the regulation of the liquor traffic or its prohibition therein.

An act to provide for a system of sewerage in the city of Paducah.

An act to amend an act to create the office of commissioner of bonds for the city of Louisville," approved March 26, 1890.

An act to incorporate the Bank of Benton, Marshall county.

An act to incorporate the city of Pineville, Bell county.

An act for the benefit of J. S. Hemphill, sheriff of Knox county, Kentucky.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the St. Helens Security Bank, of St. Helens.

An act to amend the several acts in relation to the town of Slaughtersville, Webster county.

An act to incorporate the Georgetown Safety Vault and Trust Company.

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

That they had passed a bill, which originated in the Senate, entitled

An act to incorporate the Lancaster, McKee and Middlesborough Railroad.

With an amendment thereto.

Said bill, with the amendment thereto, was referred to the Committee on Railroads.

That they had passed a bill, which originated in the House of Representatives, the objections of the Governor to the contrary notwithstanding, entitled

An act to amend an act, entitled "An act to incorporate the Paris Electric Light Company, in Bourbon county," approved May 9, 1884.

Ordered, That said bill, together with the veto message of the Governor, be referred to the Committee on Agriculture and Manufactures.

That they had passed a bill, entitled

An act to incorporate the city of Hardinsburg, in Breckinridge county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on General Statutes.

Mr. Huff was appointed a committee to withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky and Southeastern Railway Company.

After a short time Mr. Huff, from said committee, reported that the House of Representatives had refused to grant the request of the Senate.

Mr. Hays read and laid on the table the following joint resolution, viz:

Resolved by the Senate, That from and after this day the morning hour of meeting shall be 10 o'clock instead of the hour 10:30 A. M. as has been the rule.

The rule of the Senate requiring said resolution to lie one day on the table being dispensed with,

The question was then taken on the adoption of said resolution, and a quorum of the Senate not voting thereon, said resolution fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Hays and Goebel, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry,	R. G. Hays,	J. M. Pieratt,
B. F. Cockrell,	John R. Kemp,	A. H. Stewart,
Reuben Conner,	William Lindsay,	G. Terry,
F. W. Darby,	J. H. Lunsford,	J. S. Wortham—17.
W. W. Dickerson,	J. W. McCain,	

In the negative—D. W. Wright—1.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Augusta, and exempt certain property from taxation for city purposes.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

On motion of Mr. Dickerson—

Ordered, That said bill be referred to the Committee on Revenue and Taxation.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. Dickerson—

Ordered, That said bill be referred to the Committee on Revenue and Taxation.

By unanimous consent, Mr. Goebel reported a bill, entitled

An act requiring safety gates and a watchman to be kept at the crossing of the Covington Short Route Transfer Railway and Madison Avenue, in the city of Covington.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. McCain reported a bill, entitled

An act to amend the charter of Bedford, Trimble county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same;

An act to incorporate Clay City, in Powell county;

An act to incorporate Three Forks City, in Lee county;

An act to amend the charter of the town of West Covington, Kenton county;

An act to authorize the Lewis County Court to levy and collect an ad valorem tax for bridge purposes, and to empower the county judge to convene the justices in extra session;

An act to repeal an act, entitled "An act to provide additional salary for the circuit judge of the Tenth Judicial District," approved May 17, 1886;

An act to change the time of holding the county and quarterly courts in Floyd county;

An act to amend section 28 of the Criminal Codes of Practice;

An act to amend the charter of the town of Ludlow, in Kenton county;

An act providing a game law for Kenton county;

An act for the benefit of H. Pouge, clerk of the Boyd County and Quarterly Court;

An act to incorporate the Breathitt County Citizens' Bank;

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882;

An act to incorporate the Clark County Deposit Bank of Winchester;

An act to authorize the county court clerk of Estill county to sign certain unsigned orders in the records of said county, and to make valid said proceeding;

An act to amend an act, entitled "An act to incorporate the

Kaiser Karllder Grosse Benevolent Society of the city of Louisville;”

An act to change the time of holding the Carlisle County Court;

An act to amend an act, entitled “An act to establish a board of commissioners for Carter county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said commissioners;”

An act for the benefit of Albert Lee, sheriff of Marion county;

An act to repeal an act, entitled “An act to regulate the jurisdiction of the Webster Quarterly Court;”

An act to incorporate the Bank of Harlan;

An act to incorporate Richmond Commandery, No. 19, of Knights Templar;

An act to incorporate Richmond Royal Arch Chapter, No. 16, F. and A. M.;

An act to incorporate Richmond Lodge, No. 25, Free and Accepted Masons;

An act to change the time for the meeting of the Fleming County Court of Claims;

An act to authorize the county levy Court of Fleming county to levy an ad valorem tax for county purposes;

An act for the benefit of the Pulaski County Court;

An act to incorporate the town of Zion, in Henderson county;

An act to amend an act for the benefit of the clerks of the county courts of Lewis, Clark, Montgomery, Mason, Nelson, Cumberland, Adair, Clinton, Russell, Todd, Logan, and Simpson counties, so far as the same applies to Lewis county;

An act to incorporate the town of Denton, in Carter county;

An act to incorporate the Bank of Eddyville;

An act to incorporate and define the corporate limits of the town of East Point, in Johnson county;

An act to establish a road law for Floyd county;

An act to provide a road law for Johnson county;

An act to authorize the Johnson County Court of Levy and Claims to issue and sell the bonds of said county and provide for the payment of same for the purpose of building a courthouse and clerks’ offices in said county, and provide for the appointment of a treasurer for said county;

An act to incorporate the Citizens' Bank of Beech Grove ;

An act to prevent stock from running out upon the turnpikes and public highways in the Smithfield voting precinct, in Henry county, and prescribing a penalty therefor ;

An act to amend an act to incorporate the town of Fancy Farm, in Graves county, approved April 1, 1880 ;

An act to incorporate the Big Sandy Telegraph Company ;

An act to incorporate the Eloisa Bridge Company, of Lawrence county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Brushy Fork and Scrubgrass Turnpike Road Company, in Nicholas county ;

An act to incorporate the Baptist Ministers' Aid Society of Kentucky ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Harris-Seller Banking Company of Versailles ;

Which was granted.

Whereupon the Speaker appointed Mr. Bradley said committee on the part of the Senate.

After a short time, Mr. Bradley, from said committee, reported that the committee had performed that duty, and said bills were handed in at the Clerk's desk.

Mr. Bradley moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Nr. Bradley proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Darby was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Pineville Water Company of Pineville, Bell county, Kentucky.

After a short time, Mr. Darby, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

Mr. English, from the Committee on Internal Improvements, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company," approved February 22, 1860,

Together with an amendment thereto, adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment ought to be concurred in.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Otter Creek Coal, Iron and Timber Company.

An act to amend and continue in force an act, entitled "An act to incorporate the Buffalo and Hodgenville Railroad Company," approved April 12, 1888.

An act to incorporate the Louisville and Danville Railroad Company.

An act regulating the election of directors, trustees or managers of the institutions or corporations of the city of Louisville, whose directors, trustees or managers are by law elected by the general council of the city of Louisville.

An act to authorize an increase of the number of directors in the Bank of Kentucky and its branches.

An act to incorporate the Union Investment Company.

An act to amend the charter of the city of Newport.

An act incorporating the Citizens' Electric Light Company of Dayton, Kentucky.

An act to incorporate the Muhlenburg County Fair Company.

An act to incorporate the Kentucky Soldiers' Home.

Mr. Kemp proposed the following resolution, viz :

Resolved, That the call of committees proceed, and that all special orders and other business be suspended, until one call of the committees is had.

Which was twice read and adopted.

Mr. Glenn read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That a committee of five, to consist of two members of the Senate and three from the House, to be appointed by the respective Speakers thereof, for the purpose of inquiring into the practicability of abating the nuisance, said to exist, from the imperfect and injurious system of drainage at and in the vicinity of Anchorage asylum, and they will report as to any damage, if any, sustained by the people of the neighborhood, and report such measures as are practicable to abate the nuisance and protect the people.

2. They may employ such experts as may be necessary to draw up plans for improving the drainage and for such other purposes as they may deem proper.

3. This resolution to take effect from and after its passage.

Which, under the rules, lies one day on the table.

Mr. May moved that when the Senate adjourns for the day,

that it be to meet on Tuesday, April 22, 1890, at 3 o'clock P. M.
And the question being taken thereon, it was decided in the affirmative.

Mr. May moved to reconsider the vote by which the Senate had adopted said motion.

Mr. May moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, asking the withdrawal of the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same.

Mr. McCann objected to granting said request.

A message was received from the House of Representatives, asking the withdrawal of the announcement of their passage of a bill, which originated in the Senate, entitled

An act to incorporate the Trenton Rock Natural Gas, Mining and Manufacturing Company of Henderson, Kentucky,

Which was granted, and said bill was delivered to the messenger.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the same, viz :

By Mr. Goebel, from the Committee on General Statutes—

An act to amend an act, entitled "An act to amend section 3, article 2, chapter 106, General Statutes, to apply to Madison county only.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Goose Pond Drainage and Improvement Company.

By same—

An act to incorporate the Springfield and Cartwright's Creek Turnpike Road Company, in Washington county.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to amend the charter of the city of Winchester.

By same—

An act to authorize the city of Mt. Sterling to sell four feet of land.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz :

By Mr. Lindsay, from the Committee on the Judiciary—

An act to incorporate the town of Salem, in Livingston county.

By same—

An act to incorporate the Kentucky Abstract and Guaranty Association.

By Mr. Kemp, from the Committee on Railroads—

An act to incorporate the Lexington and Richmond Railway Company ;

By Mr. Goebel, from the Committee on General Statutes—

An act to enforce the satisfaction of judgments against railroad companies.

By Mr. Terry, from the same committee—

An act for the benefit of the town of Russellville, Kentucky.

By same—

An act authorizing the county judge of Simpson county to appoint a board or committee to sell real estate belonging to Simpson county.

By Mr. Wortham, from the same committee—

An act to prohibit the destruction of fish in the Kentucky river and its tributaries, and to prescribe a penalty therefor.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend the charter of the city of Newport, author-

izing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city.

By same—

An act to empower the Campbell county Court to subscribe to the capital stock of turnpike roads in said county.

By same—

An act to amend an act, entitled "An act for the building and maintaining of bridges on county roads in the county of Campbell."

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Shepherdsville and Pitt's Point Turnpike Road Company.

By same—

An act to amend an act incorporating the Dutch Tract Cemetery Company, at Pleasureville, Henry county, approved March 5, 1875, amendment, approved March 14, 1871.

By same—

An act to incorporate the Midway Hotel Company.

By same—

An act declaring North Panther Creek, in Daveiss county, a navigable stream.

By same—

An act to incorporate the Cupio and River View Turnpike Road Company.

By Mr Lindsay, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of and to reduce into one the several acts relating to the town of Eddyville, in Lyon county, chapter 221, Acts General Assembly.'"

By same—

An act to repeal an act, entitled "An act for the benefit of E. L. Wisdom and Green Atwell."

By same—

An act to amend an act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county, approved February 6, 1873.

By Mr. Wright, from the Committee on General Statutes—

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to amend the revenue laws of this Commonwealth, giving the State the power to sue for taxes due.

With amendments to the two last-named bills,

Which were adopted.

Ordered, That said bills, the two last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Hamilton Ormsby and other persons in Jefferson county,

Reported the same, without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That Hamilton Ormsby, P. W. Herr, Mrs. Mary E. Herr, James Herr, John Moorman and Clark Dorsey be, and they are hereby, empowered to institute suit in the Jefferson Circuit Court against the Commonwealth of Kentucky, to adjudicate and settle all claims they have, if any, against said Commonwealth, for any damages that may have accrued to their lands adjacent to Goose creek, in Jefferson county by reason of the use of said creek by the Central Lunatic Asylum.

§ 2. Jurisdiction is hereby conferred upon the said Jefferson Circuit Court to hear and determine any such suit as may be instituted under the provisions of the preceding section of this act, and the summons shall be served on Commonwealth's Attorney in the district, and all other proceedings had in any such suit, the Code of Practice now in force shall govern as in litigation between individuals in other proceedings, and either party is hereby authorized to appeal from the judgment of said court to the Court of Appeals or the Superior Court of this State as now provided by law in similar proceedings.

§ 3. It is hereby made the duty of the Commonwealth's Attorney in the judicial district to defend any such suit for and on behalf of the State.

§ 4. In the event any recovery shall be had against the State in any suit had under the provisions of this act, the Auditor shall draw his warrant on the Treasurer for said amount, pay-

able out of any funds then in the Treasury not otherwise appropriated, but no such payment shall be made until after there is a final determination of any such action.

§ 5. Any suit or recovery had by virtue of the provisions of this act shall operate as a bar to any future recovery.

§ 6. This act shall take effect and be in force from and after its passage.

Mr. Dickerson proposed the following amendments to said bill, viz :

Amend by adding to the first section the words :

“Provided, That no recovery shall be had for damages sustained more than five years before the institution of the several causes.”

Amend by striking out the words “Jefferson Circuit Court,” wherever they occur, and in lieu thereof insert the words “Franklin Circuit Court.”

Amend by adding to the second section the words: “That no action shall be instituted under this bill until a committee of five Senators, to be appointed by the Speaker, shall have investigated the alleged cause of complaint, and shall have reported that some injury has been sustained.”

Mr. Berry proposed the following amendment to said bill, viz :

Provided, That a judgment for damages provided for by this bill shall be a bar to any future damages for the same complaint.

And the question being taken on the adoption of the first amendment proposed by Mr. Dickerson to said bill, it was decided in the affirmative.

Mr. Hays moved to amend the second amendment proposed by Mr. Dickerson to said bill as follows :

Strike out the word “Franklin” and insert the word “Shelby.”

Mr. English moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and English, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	James H. Mulligan,
R. J. Breckinridge,	J. B. Hannah,	J. W. McCain,

Reuben Conner,	J. P. Huff,	John McCann,
Sam E. English.	John R. Kemp,	A. H. Stewart,
G. W. Gates,	William Lindsay,	D. W. Wright—16.
William Goebel,		

Those who voted in the negative, were—

F. W. Darby, W. W. Dickerson, T. L. Glenn—3.

The question was then taken on the amendment proposed by Mr. Hays to the second amendment proposed by Mr. Dickerson to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Newman, were as follows, viz :

In the affirmative—Ben F. Bradley—1.

Those who voted in the negative, were—

W. F. Berry.	William Goebel,	J. W. McCain,
R. J. Breckinridge,	R. G. Hays,	John McCann,
Reuben Conner,	J. B. Hannah,	Chas. Patteson,
W. W. Dickerson,	J. P. Huff,	J. M. Pieratt,
Sam E. English,	John R. Kemp,	A. H. Stewart,
G. W. Gates,	William Lindsay,	J. S. Wortham,
T. L. Glenn,	James H. Mulligan,	D. W. Wright—21.

Mr. Dickerson moved that the further consideration of said bill and pending amendments be postponed indefinitely.

Pending the consideration of which motion, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

TUESDAY, APRIL 22, 1890.

The Speaker of the Senate being absent, at his request Hon. J. H. Mulligan took the Chair and presided.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the town of Danville.

An act to incorporate the Central Bank.

An act to amend an act, entitled "An act to repeal an act, entitled 'An act to authorize the people of Lincoln county to vote on prohibiting sale of liquors in said county,'" said county to vote on said repeal, by striking out the word "repealed," in first section, and insert in lieu thereof the word "suspended."

An act to extend the corporate limits of the city of Richmond.

An act to incorporate the Richmond Brick Making Company.

An act to charter the Franklin Woolen Mill Company.

An act to incorporate the Bohon and Hopewell Turnpike Company.

An act concerning the Bourbon County Court of Claims.

An act to amend an act to incorporate the Eminence Live Stock Fair Association of Henry county, approved February 18, 1888.

An act to incorporate the Equality Union Cornet Band Company.

An act to incorporate the Bethlehem and Bryant Station Extension Turnpike Company.

An act to amend, revise and reduce into one the several acts in relation to the town of Mt. Washington, in Bullitt county.

An act to incorporate the Grant's Lick and Old State Road Turnpike Road Company, in Campbell county.

An act to incorporate the town of Mt. Savage, in Carter county.

An act to amend an act to incorporate the Deposit Bank of Bourbon county.

An act to amend an act, entitled "An act to establish and incorporate a Bank of Deposit and Discount in Burlington, in Boone county.

An act to incorporate the Piedmont Deposit Bank, at Irvine, Kentucky.

An act to incorporate the Louisville Fair.

An act to incorporate the town of Yelvington, in Daveiss county.

An act to amend the charter of the town of Pembroke, in Christian county.

An act to amend the charter of the town of West Covington, Kenton county.

An act for the benefit of Washington county, by which the Washington County Court is not allowed to appropriate a greater sum than \$500 per mile to aid in constructing turnpike roads.

An act to incorporate the Farmers' and Labors' Union Exchange of Calloway county.

An act to incorporate the Maple Turnpike Road Company.

An act to incorporate the West End Mutual Investment Company.

An act to amend an act, entitled "An act to amend, revise and reduce into one the several acts in relation to the town of Shepherdsville, Bullitt county," approved April 30, 1884.

An act to amend an act, entitled "An act to incorporate the Louisville Fire and Life Protective Association of Louisville," approved March 24, 1888.

An act to incorporate the Mt. Sterling Banking Company.

An act to amend an act, entitled "An act of incorporation of the German National Insurance Company of Louisville.

An act to incorporate the Prestonsburg, Beaver Valley and Big Stone Gap Railroad Company.

An act to incorporate the Northern Kentucky Land Title Insurance Company.

An act to incorporate the town of Big Clifty, in the county of Grayson.

An act to incorporate the Olive Branch Club.

An act to protect passengers and steamboatmen on the Big Sandy river.

An act to incorporate the Shaefer-Meyer Brewing Company.

An act to amend the charter of the city of Ludlow, and procure a water supply for said city and its inhabitants.

An act to incorporate the Twelfth Ward Bandana Democratic Club of the city of Louisville.

An act to amend the charter of the town of Springfield.

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Waddy," approved January 10, 1890.

An act to amend title 4, chapter 2, section 56 of the Civil Code of Practice.

An act to incorporate the Falls City Running and Trotting Club in Jefferson county.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Harris-Seller Banking Company of Versailles.

An act to amend an act incorporating the town of Pleasureville, in Henry county.

An act to amend the charter of the city of Paducah, Kentucky.

An act to amend an act, entitled "An act to incorporate the town of Rowland, Lincoln county."

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act supplementary to and to amend an act, entitled "An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city," approved March 13, 1872.

An act for the benefit of school districts Nos. 20 and 43, Morgan county.

An act authorizing the commissioners of Lawrence county to apply the county tax on the Ohio and Big Sandy Railroad Company's road and property in payment of expenditures for right of way.

An act to incorporate the Owensboro and Madisonville Railroad Company.

An act supplementary to and to amend an act, entitled "An act to incorporate the Hopkinsville and Cadiz Railroad Company," approved April 8, 1884.

An act to establish an additional voting precinct in Hickman county.

An act to punish trespassing upon the inclosures of citizens of Hopkins and Christian counties.

An act to incorporate the Anderson County Safety Vault and Trust Company.

An act to amend an act, entitled "An act to amend the charter of the Mechanics' Savings Bank and Trust Company," approved 11th March, 1890.

An act to authorize the county of Cumberland to subscribe aid to the Burksville and Northwestern Railroad Company.

An act for the benefit of Francis M. Gibson, of Wayne county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county."

An act to incorporate Clinton Lodge, 23, Knights of Pythias.

An act to prevent fast riding and driving across bridges in Elliott county.

An act to incorporate the Campbellsville, Elkhorn and Manns-ville Turnpike Road Company, in Taylor county.

An act for the benefit of David Kirby, of Warren county.

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Russellville, Kentucky," approved May 13, 1886.

An act authorizing Mason county to levy a tax in aid of common schools in said county.

An act for the benefit of white common school district No. 49, Elliott county.

An act to incorporate the Litchfield, Big Spring and Northern Railway Company.

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company, and to change the name to the Kentucky Fuel Gas Company.

An act to incorporate the Citizens' Banking and Trust Company of Lawrenceburg.

An act to incorporate the Citizens' Electric Light, Power and Gas Light Company of Louisa.

An act to amend the charter of the town of Bellevue, Campbell county.

An act to increase the jurisdiction of the quarterly court of Pike county.

An act to establish an additional justice of the peace's district in Mason county.

An act to amend an act, approved April 2, 1890, entitled "An act to incorporate Mitchell, Finch & Company's Bank of Maysville, Kentucky."

An act concerning the subscription of Clark county to the Kentucky Union Railway Company, being amendatory of an act approved April 12, 1888, entitled "An act to amend an act, entitled 'An act to regulate subscriptions to the capital stock of railroad companies in Clark county.'"

An act to amend an act, entitled "An act to incorporate the Lebanon Water Works Company."

An act to amend the charter of the Bank of Commerce.

That they had passed, with amendments thereto, bills which originated in the Senate of the following titles, viz :

1. An act to repeal an act, entitled "An act to prohibit the sale, loan, barter or traffic in spirituous, vinous or malt liquors in Todd county, and submit the same to the voters of said county."

2. An act to amend an act, entitled "An act, entitled 'An act to organize and establish a system of public graded schools in Carlisle.'"

3. An act to amend an act, entitled "An act to repeal the charter and re-incorporate the town of Hodgenville, in Larue county," approved March 17, 1870.

4. An act to amend the charter of the Bardstown Cemetery Company.

5. An act to incorporate the Trenton Rock Natural Gas, Mining and Manufacturing Company of Henderson county, Kentucky.

Ordered, That said bills, with the amendments thereto be referred—the 2d to the Committee on Education; the 3d to the Committee on the Judiciary; the 4th to the Committee on Gen-

eral Statutes, and the amendments to the 1st and 5th named bills were taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Ekron Male and Female College of Meade county, Kentucky.

2. An act to amend an act, entitled "An act to incorporate an institution of learning in or near Cadiz, in the county of Trigg," approved April 16, 1888.

3. An act to amend an act, entitled "An act to incorporate the Jellico Mountain Coal and Coke, Mining and Transportation Company."

4. An act for the benefit of common school district No. 74, Barren county.

5. An act for the benefit J. J. Stephens and Mrs. Lucy N. Scott, of common school district No. 55, Boone county.

6. An act to prohibit the killing of quail or partridges or other small game upon certain farms in Lincoln county.

7. An act to establish and maintain a graded free school in common school district No. 38, in Marshall county.

8. An act to amend an act, entitled "An act for the benefit of common school district No. 25, in Oldham county, and amendments thereto."

9. An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South."

10. An act to incorporate the Three Forks Belt Line Railroad.

11. An act authorizing the board of commissioners or court of levy and claims of Martin, Johnson, Floyd, Pike, Lawrence, Boyd, Fletcher and Knott counties to apply the county tax on any railroad built into or through said counties in payment of expenditures for right of way.

12. An act to change the county line between the counties of Lee and Estill.

13. An act to amend the charter of the city of Louisville.

14. An act to prevent the destruction of fish in South Elkhorn lying within the bounds of Woodford county.

15. An act to amend the charter of the town of Glasgow Junction, in Barren county.

16. An act to charter Douglass Academy.

17. An act to incorporate the Mt. Carbon, Prestonsburg and Pikeville Telephone Company.

18. An act incorporating the Irvine Street Railway Company.

19. An act to incorporate the Cloverport Bank and Trust Company.

20. An act to amend the charter of the Evansville Bridge Company.

21. An act to incorporate the Mutual Savings Bank of Louisville, Kentucky.

22. An act to change the times of holding the quarterly court in Caldwell county.

23. An act for the benefit of Walter F. Park and wife, of Estill county.

24. An act to incorporate an institution of learning at the town of Monroe, Hart county, under the name and style of Monroe Institute of Hart county.

25. An act to authorize S. L. Bays to construct a boom across the Little Fork of Little Sandy river, in Carter county.

26. An act to prohibit the sale of whisky within three miles of the town of Bernstadt, in Laurel county.

27. An act to incorporate the Louisa Street Railway Company.

28. An act to incorporate the Louisa Water Company.

29. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

30. An act to incorporate the Fidelity Trust Company of Paducah, Kentucky.

31. An act to authorize district No. 83, in Barren county, to vote a tax for three years for the purpose of extending the session of said school.

32. An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

33. An act to authorize the county court of McLean county to levy a per capita and an ad valorem tax for the purpose of building and keeping in repair bridges in said county.

34. An act to amend an act, entitled "An act to amend and

reduce into one all acts and laws in relation to the town of Trenton, in Todd county," passed March 24, 1884.

35. An act to resubmit to the voters of the Dixon high school district the question as to whether or not the tax imposed on said district by an act, entitled "An act to establish a high school in the town of Dixon, in the county of Webster," approved March 13, 1882, shall remain and continue in force and effect.

36. An act to provide for the completion and enlargement of the Central Lunatic Asylum.

37. An act to repeal an act approved May 13, 1886, entitled "An act to repeal an act, entitled 'An act to regulate the advertising of real estate and personal property under execution sales, under decrees or judgments and sales of real estate for State and county taxes in Boyd county and fixing compensation therefor, and to re-enact an act approved May 5, 1880, regulating the advertising of such sales.'"

38. An act to authorize the Hardin County Court to levy an ad valorem tax.

39. An act to prevent the keeping of toll-gates or collection of tolls, or requiring persons to pay toll on the Bardstown and Green River Turnpike Road, within two miles of the town of Buffalo, in Larue county.

40. An act extending the provisions of the State pharmacy laws to Larue county.

41. An act to create a legal voting precinct at Hubbard, in Common School District No. 24, in Lyon county.

42. An act to incorporate the Sacramento Fair Association.

43. An act to incorporate the Beatyville, St. Helens and Booneville Telephone and Telegraph Company.

44. An act to incorporate the Booneville, Beattyville and St. Helens Turnpike Road Company.

45. An act for the benefit of Robert Watson, of Lee county.

46. An act to authorize the Fayette County Court to subscribe stock for turnpike purposes.

47. An act declaring Little Barren river a lawful fence from its mouth to Osceola, in Green county, Kentucky.

48. An act imposing a tax on dogs, and providing for its col-

lection and appropriation for the benefit of common schools in certain counties in this Commonwealth.

49. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court levying a tax for turnpike purposes and issuing bonds for the benefit of turnpike roads," approved April 3, 1890.

50. An act to amend the charter of the town of Hiseville, in Barren county.

51. An act to incorporate the Hebron and Burlington Turnpike Road Company.

52. An act to incorporate the Bellmont and Flagg Spring Turnpike Road Company, in Campbell county.

53. An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company.

54. An act to amend an act, entitled "An act to repeal the charter of the city of Henderson, and the acts amendatory thereto, to reincorporate the said city of Henderson," approved April 9, 1888.

55. An act for the benefit of common school districts Nos. 33 and 34, of Henderson county.

56. An act for the benefit of the town of Franklin, in Simpson county.

57. An act to incorporate St. Xavier's College of Louisville, Kentucky.

58. An act to approve and confirm the charter of the W. J. Hughes and Sons Company of Louisville, Kentucky.

59. An act to authorize the Oldham County Court to borrow money to pay for the erection of a jail and jailer's residence for said county.

60. An act to incorporate the Pineville Bank, Loan and Trust Company.

61. An act to distribute the surplus fund in turnpike district No. 1, in Henry county.

62. An act to incorporate the Louisville Conduit and Subway Company.

63. An act for the benefit of William Yowell Marshall, of Lebanon.

64. An act to charter the Altamount and Manchester Railroad Company.

65. An act to amend chapter 535, entitled "An act to levy a tax and provide for the improvement of roads in Adair and Laurel counties, approved April 3, 1890."

66. An act to incorporate the Catlettsburg Street Railway Company.

67. An act to incorporate the Citizens' Bank of Meade county.

68. An act to amend the charter of the Louisville Jockey Club and the amendments thereto.

69. An act to authorize the county levy court of Floyd and Johnson counties to provide for the payment of the cost of printing copies of the road laws for distribution in said counties.

70. An act to incorporate the People's Supply Gas Company, in Boyd county.

71. An act to incorporate the Catlettsburg Water Company.

72. An act for the benefit of A. M. Rigg, of Moxley, in Owen county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 4th, 5th, 7th, 8th, 16th, 24th, 31st, 35th and 55th to the Committee on Education; the 3d, 10th, 20th, 27th, 53d, 64th and 66th to the Committee on Railroads; the 6th, 23d and 41st to the Committee on the Judiciary; the 9th, 11th, 13th, 28th, 37th, 57th, 58th, 63d, 69th, 70th and 71st to the Committee on Courts of Justice; the 12th, 15th, 28th, 38th, 47th, 50th, 51st and 72d to the Committee on Propositions and Grievances; the 14th, 17th, 34th, 45th, 48th, 49th and 56th to the Committee on General Statutes; the 19th, 21st, 30th, 60th and 67th to the Committee on Banks and Insurance; the 22d and 32d to the Committee on Codes of Practice; the 26th and 29th to the Committee on Religion and Morals; the 36th to the Committee on Charitable Institutions; the 39th and 42d to the Committee on Agriculture and Manufactures; the 40th to the Committee on Public Health; the 43d, 44th, 46th, 62d and 65th to the Committee on Internal Improvements; the 52d to the Committee on Immigration and Labor; the 54th to the Committee on Federal Relations; the 61st to the Committee

on Public Expenditures, and the 18th, 33d, 59th and 68th named bills were severally ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Poyntz, from the special joint committee appointed to investigate the condition of the Louisville Gas Company,

Asked to be discharged from the further consideration of said matter,

Which was granted.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 22, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with your advice and consent, will appoint the following-named officers for the Eastern Kentucky Lunatic Asylum to succeed themselves :

Dr. Silas Evans, Second Assistant Physician, until May 12, 1892 ; T. Logan Hocker, Steward, until May 12, 1892.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 22, 1890. }

Gentlemen of the Senate :

I hereby nominate, and with your advice and consent, will appoint the following-named officers and commissioners for the Western Kentucky Lunatic Asylum :

Dr. B. W. Stone, superintendent, until April 13, 1893, to suc-

ceed himself; Joe Buckner, steward, until the same date to succeed himself; Hunter Wood, a member of the board of commissioners until the same date to succeed himself.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Charitable Institutions.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 22, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

A. J. Fuqua, Christian county.
Jas. W. Garrison, Jefferson county.
Sam C. Hardin, Clinton county.
D. S. Handley, Hardin county.
John McCann, Jefferson county.
W. M. Oliver, Marshall county.
Wm. M. Ragsdale, Jefferson county.
J. R. Sweet, Wayne county.
Oliver H. Stratton, Jefferson county.
Marion Weatherholt, Breckinridge county.
Mary F. Kaney, Campbell county.
J. E. Keller, Fayette county.
J. R. Kirley, Warren county.
Roy G. Kern, Montgomery county.
W. J. Kinnard, Bell county.
Wilson Lamb, Union county.
Nora H. Lee, Jefferson county.
John P. Long, Logan county.
Jas. O. Mercer, Taylor county.
Edward R. Moore, Logan county.
W. S. Morrison, Hancock county.
Miss Alice Meek, Jefferson county.
J. Cap. Morton, Logan county.
N. F. Martine, Jefferson county.

H. V. Sanders, Jefferson county.

W. Rueff, Jefferson county.

Darwin W. Johnson, Jefferson county.

Susie Carpenter, Fleming and Kenton counties.

Very respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message in writing was received from the Governor by Hon. Ed Porter Thompson.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, April 21, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled "An act to amend the charter of the Newport Light Company."

The original charter became a law on March 27, 1880, with an authorized capital of one hundred thousand dollars. It was authorized to "furnish any city, town, district, corporation, or locality, or any public institution, manufacturing establishment, or private premises with gas or other light, for such time and upon such terms as may be agreed upon by the parties." The charter also confers the usual powers given to such corporations.

The powers given in the original charter were ample, but the proposed amendment seeks to enlarge them in a way which may possibly prove detrimental to the public interests.

It is not known if the original company has effected its organization, but whether it has or not, the amendment authorizes an increase in the capital stock, and provides "That said company be, and it is hereby, authorized and empowered to sell and transfer its business and franchises to any other corporation, company or person, or to purchase the business and franchises of any other corporation, company or person, or to consolidate its business and franchises with the business and franchises of any such corporation, company or person."

While a judicial interpretation of the law might restrict the arrangements authorized by this bill to corporations of like character with this company, it is believed that the authority

given to buy of individuals and to transfer its franchises to individuals might be construed into an authority to combine its interests with business in no ways analagous to that authorized in the original charter, and might lead to combinations of capital injurious to public interests and monopolistic in tendency. The general act of incorporation, under which this company could have procured all necessary powers, provides that the character of the business shall be defined, and the special act should not be less explicit. The public, who have an interest in all corporations of this character, have a right to know, from the terms of the grant, the exact nature of the business authorized to be done.

The Senate is, therefore, respectfully requested to consider if a revision of this bill is not essential to protect individual rights.

Respectfully,

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act of the General Assembly of this Commonwealth, entitled "An act to incorporate the Newport Light Company," approved March 27, 1878, be so amended as to authorize said company to increase its capital stock to any amount not exceeding \$200,000.

§ 2. That said company be, and it is hereby, authorized and empowered to sell and transfer its business and franchises to any other corporation, company or person, or to purchase the business and franchises of any other corporation, company or person, or to consolidate its business and franchises with the business and franchises of any such corporation, company or person.

§ 3. That this act shall take effect from and after its passage.

Ordered, That said bill and veto be referred to the Committee on the Judiciary.

A message in writing was received from the Governor by Hon. Ed Porter Thompson.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, KY., April 22, 1890. }
Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled "An act to amend an act, entitled 'An act incorporating the Muhlenberg Coal Company,' " approved February 7, 1880.

- The first section of the bill changes the name of the corporation, styling it "The Carbon Coal and Iron Company," and grants to the new corporation "all the powers and privileges granted in said charter."

The second section increases the capital stock from \$500,000 to \$5,000,000.

The third section authorizes any three of the original eight corporators to organize the corporation, and to increase their number to fifteen, who will constitute the directors of the company.

The fourth section strikes out the names of the localities in the vicinity of Muhlenberg, which limited the field of operations of the company, and substitutes therefor the words "any counties in Kentucky."

A reference to the terms of the original charter will show the importance of these proposed amendments.

In addition to the privileges granted in the charter "to dig, bore, mine and work" every conceivable mineral substance, acquire any lands and leases or other property, to build railways from its mines to other railroads and to water courses, the corporation was authorized "to acquire, by purchase or lease, the capital stock or the property, rights and franchises of any company whose line of railway crosses over, through or adjacent to such mining lands as it may own or acquire * * and connect its railway lines with river navigation lines, and own and acquire all needed boats for that purpose, * * to build houses, stores, store-houses and offices and to conduct the business of selling merchandise."

When these various powers are considered in connection with the mining interests which may be acquired throughout the State, the Senate will readily see the oppressive nature of the monopoly sought to be established. Should the corporation obtain control of any of the railroads passing over or adjacent to its mines, it could be so operated as to render all adjacent lands almost valueless until acquired by this monopoly at their own prices, for the subsidiary roads leading to the mines, not being common carriers, would be operated by the railroad for the exclusive benefit of those who controlled it. The resulting injury to the public would be proportional to the amount of capital employed to wield this monopoly.

This charter is not unknown at the executive office. It first appeared here under its present name as an original act of incorporation in March, 1888. It contained several names of the incorporators of the Muhlenberg Coal Company, and in its terms was almost an exact transcript of the powers granted in that act. On March 26th the executive returned the bill to the Senate, with his objections, which were sustained, it is believed unanimously, by that body. But on the last night of the session it again passed both Houses of the General Assembly, and reappeared at the executive office, without the slightest change, on the morning of May 4th, just before the final adjournment. It was not approved, and therefore failed to become a law. It now reappears for the third time, under the disguise of an amendment, but when the mask is stripped off the Senate will recognize with me the familiar features of an old acquaintance. It is returned to you with the less reluctance as it will probably resume its accustomed walks and attempt, for the fourth time, to revisit its old haunts about the executive office, before the final adjournment of the General Assembly. Should it reappear, it is hoped, that with the assistance of the Senate, it will be in a less questionable shape than those which it has formerly assumed.

Respectfully,

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the name of the Muhlenburg Coal Company in said act is hereby amended and changed to that of the Carbon Coal and Iron Company, which name is hereby substituted for the name of said corporation, with all the powers and privileges granted in said charter.

§ 2. That section 3 is hereby amended as follows: And in place and in lieu thereof insert the words "five millions;" also that the following words in section 3 shall be stricken out: "But the corporation shall have a lien on the shares of the stockholders who may be indebted to it, and shares shall not be transferred until such debt is paid, without the consent of the president and directors.

§ 3. That section 8 shall be amended to read, after the words "herein named," there shall be added, "or any three of them, and after organization they may increase their number to any number as high as fifteen, by a majority vote of the stockholders, and they"

§ 4. That the words in section 9, "after conducting its business, will be the remaining words," is hereby stricken out of said section, and in lieu thereof inserted "any counties in Kentucky."

§ 5. That the name of Charles H. Mantle be stricken from the board of directors in the original bill.

§ 6. That this act shall take effect from and after its passage.

Ordered, That said bill and veto message be recommitted to the Committee on Immigration and Labor.

The Senate, according to order, took up for consideration a joint resolution, entitled

Resolution providing for the appointment of a committee to investigate the drainage of the lunatic asylum at Anchorage.

(For resolution, see Senate Journal April 19, 1890.)

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Mrs. D. Howard Smith, Mrs. W. C. Bullock and Thomas W. Scott;

An act to amend an act incorporating the town of Pleasureville, in Henry county;

An act to levy a tax and pay the floating debt of the city of Owensboro;

An act to authorize the common council of the city of Owensboro to issue bonds for the purpose of building a city hospital;

An act authorizing the transfer of a balance of railroad fund to the general revenue fund of the city of Owensboro;

An act to amend the charter of the city of Owensboro so as to empower said city to recover taxes by suit;

An act to empower Daveiss county to dispose of its pauper grave yard and to acquire other land for such use;

An act to incorporate the Sebree Deposit Bank, of Sebree, Kentucky;

An act to incorporate the Paducah, Smithland and Southern Railroad Company;

An act to empower the city of Vanceburg to condemn land to widen certain streets and alleys in said city, and to issue its bonds and levy a tax to pay for such improvement;

An act for the benefit of the University Club of Louisville;

An act to incorporate the St. Helens Security Bank, of St. Helens;

An act to incorporate the Citizens' Deposit Bank of Booneville;

An act to incorporate the Farmers' and Laborers' Bank of Henderson;

An act to change the time of holding the Menefee Circuit Court;

An act to charter the Jamestown Loan and Deposit Bank;

An act authorizing the establishment of a graded free school in district No. 16, Fulton county, Kentucky;

An act to repeal an act, entitled "An act to prescribe and define the jurisdiction of the Marion County Court at its June term of each year;"

An act changing the time of holding the county and quarterly courts in Owsley county;

An act to amend the charter of the town of Sebree City, in Webster county;

An act to empower the county levy court of Pulaski county to provide for the immediate payment of claims against the county;

An act to amend an act, entitled "An act to incorporate Carr Institute, in Fulton county," approved March 9, 1882;

An act to repeal an act giving certain authority to the presiding judge of the Greenup County Court, approved March 3, 1856;

An act to establish a system of public graded schools in the city of Pineville;

An act to authorize the county court of Cumberland county to levy an ad valorem and capitation tax for county purposes;

An act to amend an act to amend and reduce into one the various acts in regard to the town of Whitesville, in Daveiss county, Kentucky;

An act to amend section 36 of chapter 2 of title 3 of the Code of Practice in criminal cases;

An act to amend chapter 27, article 2, section 1, General Statutes, titled "County Levy ;"

An act to amend the charter of the town of Central Covington, Kentucky ;

An act in relation to the roads and bridges in Daveiss county ;

An act to incorporate the Commercial Bank of Middleborough, Kentucky ;

An act to incorporate Oil City, in Barren county ;

An act to incorporate the Bracken County Bank, at Brooksville ;

An act authorizing the levy and collection of an ad valorem, special and poll tax for the benefit of the public roads in Fulton county ;

An act to amend the several acts in relation to the town of Slaughtersville, Webster county ;

An act to incorporate the town of Willard, in Carter county ;

An act to incorporate the Big Sandy Banking and Trust Company ;

An act to incorporate the Merchants' Bank of Paintsville ;

An act to incorporate an institution of learning in the town of Munfordsville, Hart county, under the name and style of Green River Collegiate Institute ;

An act to amend an act to establish a board of commissioners for Greenup county, and to define their duties and the duties of other officers whose duties are connected with those of said commissioners.

An act to regulate the civil jurisdiction of justices of the peace in Montgomery county ;

An act to incorporate the Harris-Seller Banking Company, of Versailles ;

An act to authorize the Mt. Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville South-eastern Railroad Company ;

An act to authorize and empower the board of county commissioners of Greenup county to formulate a plan, issuing bonds and levying an ad valorem tax for the purpose of building turnpike or gravel roads in said county ;

An act to incorporate the Lexington and Richmond Railway Company ;

An act to incorporate the Georgetown Safety Vault and Trust Company ;

An act to establish a public graded school at the mouth of Beaver, in Floyd county ;

An act to amend an act, entitled "An act for the benefit of common school districts Nos. 14, 18 and 23, in Fulton county ;"

An act to amend the charter of the town of West Covington ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the city of Clinton ;

An act to prevent stock running at large on the turnpike roads in Montgomery county ;

An act to incorporate the Mitchellsburg and Rolling Fork Turnpike Road, in Boyle county ;

An act for the benefit of Katy Ann Gillen, of Bath county ;

An act to amend the charter of the Warren Deposit Bank ;

An act to amend an act, entitled "An act to incorporate the Mechanics' Building and Loan Association of Lexington ;"

An act to amend an act, entitled "An act to incorporate the Bowling Green Land and Improvement Company ;"

An act to amend an act, entitled "An act to incorporate the Central Transfer Company," approved April 16, 1884 ;

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company, and to change its name to the Kentucky Fuel Gas Company ;

An act to amend the charter of the city of Newport ;

An act concerning the subscription of Clark county to the Kentucky Union Railway Company, being amendatory of an act approved April 12, 1888, entitled "An act to amend an act, entitled 'An act to regulate subscriptions to the capital stock of railroad companies in Clark county ;' "

An act to amend section 32, article 2 of chapter 39 of General Statutes, so far as the same applies to Hardin county ;

An act to regulate municipal elections in the city of Bowling Green ;

An act to provide for the regulation of voters in the city of Bowling Green ;

An act to amend an act, entitled "An act to incorporate the district of Clifton, in Campbell county," approved February 15, 1888 ;

An act to incorporate the Paragon Electric Company ;
An act for the benefit of commissioners and receivers ;
An act to extend and better define the limits of the city of Frankfort ;

An act concerning the St. Clair street bridge in Frankfort, Kentucky ;

An act to repeal an act, entitled "An act to repeal an act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same,'" approved March 2, 1888 ;

An act to amend an act, entitled "An act to incorporate the Paducah and Lovelaceville Turnpike or Gravel Road Company," approved February 22, 1860 ;

An act to amend an act, entitled "An act to reduce and amend an act, entitled 'An act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark's Road Company ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. May, from the Committee on Railroads—

An act to incorporate the Kentucky Pipe Line Company.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act to incorporate the St. Charles Coal Company, which said act became a law without the signature of the Governor on the 12th day of March, 1873, and is contained in chapter 402, Acts of the General Assembly of the Commonwealth of Kentucky of 1873.

By same—

An act to amend an act, entitled "An act to incorporate the town of Crofton, in Christian county," approved February 6, 1873.

By Mr. Lunsford, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the now existing Louisville Gas Company, and grant it a new charter, approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity.”

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to amend the charter of the Louisville Gas Company.

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act to amend an act to incorporate the Paducah Hotel Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend the charter of the Elizabethtown Building and Loan Association,

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill, which originated in the House of Representatives, entitled

An act to prevent the sale of spirituous, vinous and malt liquors within a radius of two miles of the Smithsonville school-house, in Harrison county.

Which was granted.

Whereupon the Speaker appointed Mr. Dickerson said committee on the part of the Senate.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill were handed in at the Clerk's desk.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Dickerson proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the unfinished report of the Committee on the Judiciary, being a bill which originated in the House of Representatives, entitled

An act for the benefit of Hamilton Ormsby and other persons in Jefferson county.

(For bill and pending amendments see Journal of Saturday, April 19th.)

The question pending being upon the adoption of the motion made by Mr. Dickerson to indefinitely postpone the further consideration of said bill and proposed amendments,

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the second amendment proposed by Mr. Dickerson to said bill, and a quorum of the Senate not voting thereon,

Said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wortham and Dickerson, were as follows, viz :

In the affirmative—James H. Mulligan—1.

Those who voted in the negative, were.

Sam E. English,
G. W. Gates,
T. L. Glenn,
R. G. Hays,

J. P. Huff,
J. H. Lunsford,
J. W. McCain,
John McCann,

A. L. Peterman,
C. B. Poyntz,
A. H. Stewart—11.

By unanimous consent, the rules were suspended, and the Senate took up for consideration a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live-stock and all other except life insurance companies," approved March 12, 1870.

(For bill, see Senate Journal, April 15.)

The question being on the passage of said bill,

On motion of Mr. Breckinridge—

Ordered, That the further consideration of said bill be postponed, and that said bill be printed and made the special order of the day for Tuesday next, April 29, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hays moved that a committee be appointed by the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same;

Which motion was simply entered.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Garfield, at Prestonsburg, in Floyd county.

By same—

An act to incorporate the Workingmen's Building and Loan Association,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted a joint resolution, entitled Resolution in relation to a public building at Bowling Green, Which was referred to the Committee on General Statutes.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Roberts—

1. A bill to incorporate the Silver Creek Turnpike Road Company.

On motion of Mr. Poyntz—

2. A bill to incorporate the Maysville, Mt. Olivet and Cynthiana Railroad Company.

On motion of Mr. Pieratt—

3. A bill to add Morgan county to the court of common pleas district composed of the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott, and fix the time for holding the common pleas court therein.

On motion of Mr. Breckinridge—

4. A bill to amend an act, entitled "An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors and fixing the penalty for the sale of liquors in said county," approved January, 1890.

On motion of same—

5. A bill to authorize the board of council of the town of Danville to close up so much of Cemetery street as lies within the limits of the cemetery property.

On motion of Mr. Berry—

6. A bill to re-enact, adopt and amend an act to incorporate the Union County Bank, approved March 10, 1870.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Railroads the 2d; the Committee on Courts of Justice the 3d; the Committee on Religion and Morals the 4th; the Committee on the Judiciary the 5th, and the Committee on Banks and Insurance the 6th.

And then the Senate adjourned.

WEDNESDAY, APRIL 23, 1890.

The regular Speaker and Lieutenant-Governor, Hon. J. W. Bryan being absent, at his request Hon. D. H. Smith took the chair and presided.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Madison Fire Insurance Company of Richmond, Kentucky.

An act to amend an act, entitled "An act to incorporate the Kentucky Wagon Manufacturing Company," approved January 16, 1882.

An act to incorporate Three Forks City, in Lee county.

An act to incorporate Clay City, in Powell county.

An act to amend the charter of the town of West Covington, Kenton county.

An act to incorporate the Citizens' Bank of Beech Grove.

An act to incorporate the Clark County Deposit Bank of Winchester.

An act to authorize the Lewis County Court to levy and collect an ad valorem tax for bridge purposes, and to empower the county judge to convene the justices in extra session.

An act to authorize the county court clerk of Estill county to sign certain unsigned orders in the records of said county, and to make valid said proceeding.

An act to amend an act, entitled "An act to incorporate the Kaiser Karllder Grosse Benevolent Society of the city of Louisville."

An act to change the time of holding the Carlisle County Court.

An act to amend an act, entitled "An act to establish a board of commissioners for Carter county, and to define their duties and the duties of other county officers whose duties are connected with the duties of said commissioners."

An act to change the time of holding the county and quarterly courts in Floyd county.

An act to repeal an act, entitled "An act to regulate the jurisdiction of the Webster Quarterly Court."

An act to amend section 28 of the Criminal Code of Practice.

An act to incorporate the Bank of Harlan.

An act to amend the charter of the city of Ludlow, in Kenton county.

An act providing a game law for Kenton county.

An act to incorporate Richmond Commandery, No. 19, of Knights Templar.

An act to incorporate Richmond Royal Arch Chapter, No. 16, Free and Accepted Masens.

An act to incorporate the Breathitt County Citizens' Bank.

An act to incorporate Richmond Lodge, No. 25, Free and Accepted Masons.

An act to establish a road law for Floyd county.

An act for the benefit of the Pulaski County Court.

An act to change the time for the meeting of the Fleming County Court of Claims.

An act to authorize the county levy Court of Fleming county to levy an ad valorem tax for county purposes.

An act to provide a road law for Johnson county.

An act to authorize the Johnson County Court of Levy and Claims to issue and sell the bonds of said county, and provide for the payment of same, for the purpose of building a courthouse and clerks' offices in said county, and provide for the appointment of a treasurer for said county.

An act to prevent stock from running out upon the turnpikes and public roads in the Smithfield voting precinct, in Henry county, and prescribe a penalty therefor.

An act to amend an act to incorporate the town of Fancy Farm, in Graves county, approved April 1, 1880.

An act to incorporate the Big Sandy Telegraph Company.

An act to incorporate the Bank of Eddyville.

An act to incorporate the town of Denton, in Carter county.

An act to incorporate and define the corporate limits of the town of East Point, in Johnson county.

An act to incorporate the Eloisa Bridge Company, of Lawrence county.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to prevent and punish trespass upon real estate in certain counties in this Commonwealth.

That they had passed a bill, which originated in the Senate, entitled

An act to amend section 10 of the Civil Code of Practice.

That they had adopted joint resolutions and passed bills of the following titles, viz :

1. Resolution for the benefit of J. B. Williams, of the county of Marion.

2. Resolution for the benefit of John B. Carlisle, of Marion county.

3. Resolution asking an appropriation from Congress for the improvement of Licking river.

4. An act to amend section 15 of article 1, chapter 5, of the General Statutes.

5. An act to amend an act, entitled "An act to incorporate the Anchor Mutual Benefit Association of Kentucky," approved February 26, 1880.

Which resolutions and bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st and 2d resolutions to the Committee on Claims; the 3d resolution to the Committee on Agriculture and Manufactures; the 4th to the Committee on General Statutes, and the 5th to the Committee on Banks and Insurance.

The Senate took up for consideration the motion heretofore entered by Mr. Hays for the appointment of a committee on the part of the Senate to act in conjunction with a similar committee from the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to provide for the establishment of public parks in

and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same.

Mr. McCann objected to said motion and the appointment of said committee.

By unanimous consent, the further consideration of said motion was postponed until to-morrow, the 24th inst.

Mr. Roberts asked the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky River and Virginia Railroad Company,

Which was granted.

Whereupon the Speaker appointed Mr. Roberts said committee on the part of the Senate.

After a short time, Mr. Roberts, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

Mr. May asked the appointment of a committee on the part of the Senate, to ask the withdrawal from the House of Representatives of the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act for the benefit of common school district No. 21, in Boyle county,

Which was granted.

Whereupon the Speaker appointed Mr. May such committee.

After a short time, Mr. May, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. May moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Breckinridge moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Wortham presented the petition of sundry citizens, farmers of Hancock county, praying the passage of an act making (68) sixty-eight pounds of ear corn constitute a legal bushel of corn,

Which was received, the reading dispensed with, and on motion of Mr. Wortham, referred to the Committee on Agriculture and Manufactures.

Mr. Hendrick, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to require conductors to be placed on street cars in this Commonwealth.

Reported the same without an expression of opinion.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That street car companies in this Commonwealth shall furnish each car on their respective lines with a competent conductor to collect fares and aid in protecting the lives and limbs of passengers, and in every manner attend to their comfort and convenience.

§ 2. That should any of said companies fail or refuse to comply with the foregoing section, they shall be liable to a fine of not less than fifty dollars nor more than five hundred dollars per day while such failure or refusal continues. The provisions of this bill shall not apply to the street cars of the city of Louisville, except to cars running upon the following streets within the city limits, to-wit: Main, Market, Jefferson, Green, Walnut, Second, Fourth, Fifth, Chestnut, and Broadway streets.

§ 3. That the provisions of this act shall apply only to cities containing a population of eighty thousand or over.

§ 4. All acts or parts of acts in conflict with this act are hereby repealed.

§ 5. That this act shall take effect from and after its passage.

Mr. English moved to recommit said bill to the Committee on the Judiciary.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Hendrick, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	J. M. Pieratt,
W. F. Berry,	J. H. Lunsford,	Chas. B. Poyntz,
Ben F. Bradley,	J. W. Martin,	Phil Roberts,
Reuben Conner,	D. L. May,	D. H. Smith,
Sam E. English,	James H. Mulligan,	A. H. Stewart,
G. W. Gates,	John McCann,	G. Terry—20.
R. G. Hays,	A. L. Peterman,	

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	J. W. McCain,
F. W. Darby,	John K. Hendrick,	B. F. Reynolds,
W. W. Dickerson,	John R. Kemp,	J. S. Wortham,
T. L. Glenn,	William Lindsay,	D. W. Wright—13.
William Goebel,		

Mr. May moved to reconsider the vote by which the Senate had passed a bill which originated in the Senate, entitled

An act to incorporate the Kentucky Pipe Line Company,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

On motion of Mr. May—

Ordered, That said bill be recommitted to the Committee on Internal Improvements.

The Senate, according to order, took up for consideration a resolution which originated in the Senate, entitled

Resolution to raise a joint committee from the Senate and House of Representatives, to consider the propriety of legislation looking to suitable representation of the State's resources at the World's Fair.

(*For resolution, see Senate Journal, March 14, 1890.*)

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of the rules of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. W. Martin,
W. F. Berry,	William Goebel,	J. W. McCain,

Ben F. Bradley,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
F. W. Darby,	John R. Kemp,	Chas. B. Poyntz,
W. W. Dickerson,	William Lindsay,	B. F. Reynolds,
Sam E. English,	J. H. Lunsford,	D. H. Smith—22.
G. W. Gates,		

Those who voted in the negative, were—

D. L. May, James H. Mulligan, D. W. Wright—3.

Resolved, That the title of said resolution be as aforesaid.

Mr. Stewart withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill which originated in the House of Representatives, entitled

An act to create a board of commissioners for Letcher county, to prescribe their powers and duties, and to authorize them to issue bonds for certain purposes.

Mr. Wright withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act to authorize the county court of Butler county to appropriate money for the purpose of detecting and prosecuting the murderers of Granville Gray, in Butler county.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Lindsay—

1. A bill for the benefit of W. G. Goodwin and wife.

On motion of same—

2. A bill to incorporate the Deposit Bank of Gratz, Kentucky.

On motion of Mr. Glenn—

3. A bill, entitled "An act to incorporate the American German Bank, at Paducah."

On motion of Mr. McCann—

4. A bill for the benefit of Louis Seeger, of Louisville, Kentucky.

On motion of Mr. Wright—

5. A bill to incorporate Pleasant J. Potter College.

On motion of Mr. Wortham—

6. A bill to amend the charter of the town of Ford.

On motion of Mr. Wright—

7. A bill to authorize Warren county to purchase turnpikes.

On motion of Mr. Hays—

8. A bill to amend the insurance laws of this State, except life.

On motion of Mr. McCann—

9. A bill to amend an act to amend the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

Ordered, That the Committee on the Judiciary prepare and bring in the 1st; the Committee on Banks and Insurance the 2d, 3d, 8th and 9th; the Committee on Courts of Justice the 4th; the Committee on General Statutes the 5th and 7th, and the Committee on Agriculture and Manufactures the 6th.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act declaring North Panther creek, in Daveiss county, a navigable stream;

An act to incorporate the Green River Trust Company;

An act to re-charter the town of Mt. Vernon, in Rockcastle county;

An act for the benefit of the town of Russellville, Kentucky;

An act to amend an act, entitled "An act for the building and maintaining of bridges on county roads in the county of Campbell;"

An act to amend the charter of the city of Paducah, Kentucky;

An act to regulate municipal elections in the city of Paducah;

An act to re-incorporate and amend the laws of the town of Salyersville, Magoffin county;

An act to make the office of county court clerk and county surveyor of Henry county, compatible;

An act incorporating the Shepherdsville and Pitt's Point Turnpike Road Company;

An act to incorporate the Cupio and River View Turnpike Road Company;

An act to incorporate the Mutual Savings Bank of Hickman, Kentucky;

An act to amend an act, entitled "An act to amend the charter of the Owensboro Safety Vault and Trust Company," approved March 26, 1890;

And an enrolled bill, which originated in the Senate, of the following title, viz:

An act to incorporate the Junction Turnpike Company;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Lindsay, from the Committee on the Judiciary—

An act to incorporate the Rowena Lodge No. 41, Knights of Pythias in the town of Harrodsburg, Mercer county, Kentucky.

By same—

An act to relieve E. H. Coombs of the disabilities of an infant.

By same—

An act for the benefit of Ulysses Grant Teater, a minor, of Garrard county, Kentucky.

By same—

An act for the benefit of Edward N. Wilson, of Bourbon county.

By same—

An act to incorporate the town of Shiloh in Calloway county.

By same—

An act to regulate the employment of guards to convey prisoners from one county to another in this Commonwealth.

By Mr. Breckinridge, from the same Committee—

An act for the benefit of the Board of Internal Improvements for Lincoln county.

By same—

An act to amend an act, entitled “An act to authorize the Lincoln County Court to take stock in certain turnpike road companies.”

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton county.

By Mr Lindsay, from the Committee on the Judiciary—

An act to authorize the county court of Fayette county to obtain, purchase or lease turnpike roads in said county, and maintain them free of toll from the traveling public.

By Mr. Gates, from the Committee on Military Affairs—

An act to amend the charter of the city of Louisville.

With amendments to the three last-named bills.

Which were adopted.

Ordered, That said bills, the three last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act for the benefit of W. G. Goodwin and wife,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to amend section 5 of chapter 70 of the General Statutes.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 5 of chapter 70 of the General Statutes be, and the same is repealed, and, therefor, the following is substituted: "If the labor performed or material furnished shall not be performed or furnished by contract with the owner or lessee, but for a contractor or subcontractor, no lien shall attach in favor of such laborer or material man therefor, unless written notice that a lien will be claimed, stating the amount of the claim, be given to the owner within thirty days after ceasing to labor or furnish materials. If, therefor, the owner shall fail to pay such claim, the property shall be in lien for the amount he ought to pay as prescribed in the first section of this chapter, not exceeding, however, the amount of the owner's original contract. But the liens as authorized by this chapter shall not attach, if security shall have been taken for the labor performed or materials furnished.

§ 2. This act shall be in force from its passage, but shall apply only to Kenton and Campbell counties.

Ordered. That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act in relation to the capital stock of corporations,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky : § 1. That the shares of the capital stock of all corporations, created by or under the laws of this Commonwealth, including railroad companies, shall be deemed and treated as personal property for any and all purposes.

§ 2. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act regulating the operation of street cars and street car lines and companies within the city of Covington and elsewhere,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act to incorporate the South Covington and Cincinnati Street Railway Company, approved January 25, 1876.

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the

part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in House of Representatives, entitled

An act to incorporate the town of Zion, Henderson county,
Which was granted.

Whereupon the Speaker appointed Mr. Berry said committee on the part of the Senate.

After a short time Mr. Berry, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Wright, from the Special Committee on Lotteries, to whom was recommitted a bill which originated in the Senate, entitled

An act in relation to lotteries and for the suppression of same,

Reported the same with an amendment thereto.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any person who shall make, set up, draw, manage, or otherwise promote any lottery, lottery scheme, class, or gift enterprise in this State, or shall aid in so doing under any pretense whatever, or shall dispose of, or promote the dispersing of any money or thing of value, by way of lottery or gift enterprise, or shall aid in so doing under any pretense whatever, shall be deemed guilty of a misdemeanor, and, on conviction, for each offense shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars, or imprisoned in the county jail not less than ten days nor more than six months, or may, in the discretion of the jury, be both so fined and imprisoned.

§ 2. That any person who shall hereafter make, set up, draw, manage, or otherwise promote any lottery, lottery scheme, class, or gift enterprise, whose franchise has been repealed or powers exhausted, or shall aid in so doing under any pretense whatever, shall be deemed guilty of a misdemeanor, and, on conviction, for each offense shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars, or imprisoned in the county jail not less than ten days nor more than six months, or may, in the discretion of the jury, be both so fined and imprisoned.

§ 3. That any person who shall sell or attempt to sell, directly or indirectly, or expose or keep for sale any lottery ticket, or any devise in the nature of a lottery ticket, in any lottery, lottery scheme, class, or gift enterprise, to be drawn in this State

or in any other State or country, shall be deemed guilty of a misdemeanor, and, upon conviction, for each offense shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars, or imprisoned in the county jail not less than ten days nor more than six months, or may, in the discretion of the jury, be both so fined and imprisoned.

§ 4. That the buyer of any lottery ticket, or any device in the nature of a lottery ticket, shall be a competent witness in any prosecution against the seller of it; and it shall be no exemption to said buyer that his testimony may criminate himself, but no such testimony given by the witness shall be used against him in any prosecution, except for perjury, and he shall be discharged from all liability for any offense so necessarily disclosed in his testimony.

§ 5. That any person, company or corporation who shall knowingly ship, transport or bring into this State for the purpose of being sold, or shall deliver to any person, company or corporation for such purpose, any lottery ticket, or any device in the nature of a lottery ticket in any lottery, lottery scheme, class, or gift enterprise, to be drawn out of this State, shall be deemed guilty of a misdemeanor, and on conviction, for each offense shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars.

§ 6. That any indictment found under any of the preceding provisions of this act, shall be held good which charges the offense in the language of the law, without setting forth therein the number, date or other description of the ticket or device, or the name of the lottery or gift enterprise.

§ 7. That it shall be unlawful for any person, company or corporation publishing any newspaper, periodical, magazine or sheet of any kind in this State, to print or publish therein any advertisement of any lottery, lottery scheme, class or gift enterprise of any kind, or of any drawing thereof, or the result of such drawing in whole or in part, whether conducted in this State or out of it; or to advertise, publish or give notice by any device therein where any ticket, share or chance in any lottery, lottery scheme, class or gift enterprise can be bought or obtained, whether in this State or out of it. Any person, company or corporation violating the provisions of this section of this act, shall be deemed guilty of a misdemeanor, and, on conviction, shall, for each offense, be fined in any sum not less than one hundred dollars nor more than two thousand dollars.

§ 8. That it shall be unlawful for any person, company or corporation to print, publish, distribute or post any circular, bill or sheet of any kind in this State for the purpose of advertising any lottery, lottery scheme, class or gift enterprise; or the sale or gift of any ticket therein, or any drawing thereof, or the result in whole or in part of any drawing thereof, whether in this State or out of it. Any person, company or corporation violating the provisions of this section of this act

shall be deemed guilty of a misdemeanor, and on conviction, for each offense, shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars.

§ 9. It shall be the duty of the judges of courts having penal and criminal jurisdiction in this Commonwealth to give this act in his charge to each grand jury hereafter impaneled in said courts, and to direct said grand jury to make diligent inquiry in regard to any of the violations named in this act.

§ 10. All acts and parts of acts in conflict with this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

Said proposed amendment reads as follows, viz:

Amend section 5 by adding after the word "corporation" in the first line, the following words, "or officers or agents of said company or corporation."

Amend section 5 by adding the following: "Or imprisoned in the county jail not less than ten days nor more than six months, or may, in the discretion of the jury, be both so fined and imprisoned."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Hays were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	J. H. Lunsford,	B. F. Reynolds,
G. W. Gates,	J. W. Martin,	Phil Roberts,
T. L. Glenn,	D. L. May,	D. H. Smith,
Wm. Goebel,	James H. Mulligan,	A. H. Stewart,
J. B. Hannah,	John McCann,	G. Terry,
John K. Hendrick,	John P. Newman,	J. S. Wortham,
J. P. Huff,	A. L. Peterman,	D. W. Wright—27.

Those who voted in the negative, were—

W. F. Berry,	R. J. Breckinridge,	R. G. Hays—4.
Ben F. Bradley,		

Resolved, That the title of said bill be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wortham moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Lunsford was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to amend, revise and reduce into one the several acts concerning the town of Madisonville, and to re-incorporate said town.

After a short time, Mr. Lunsford, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

Mr. Hendrick, from the Committee on the Judiciary, to whom was recommitted a bill, which originated in the Senate, entitled

An act to require conductors to be placed on street cars in this Commonwealth,

Reported the same without amendment.

Mr. Hays moved that said bill be recommitted to the Committee on Courts of Justice.

Mr. Wortham moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Hays, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goebel and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
W. F. Berry,	R. G. Hays,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	Phil Roberts—15.

Those who voted in the negative, were—

R. J. Breckinridge,	J. B. Hannah,	D. H. Smith,
B. F. Cockrell,	John K. Hendrick,	G. Terry,
F. W. Darby,	William Lindsay,	J. S. Wortham,
W. W. Dickerson,	J. W. McCain,	D. W. Wright—14.
William Goebel,	B. F. Reynolds,	

Mr. Gates, from the Committee on Military Affairs, to whom was referred leave to bring in a bill, entitled

An act to amend chapter 76, General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That chapter 76 of the General Statutes be so amended as to authorize the enrollment, organization and muster into the State Guard two companies of cavalry of not more than sixty-four nor less than forty-two men, rank and file each.

§ 2. Said companies when organized and mustered in, shall be assigned to either of the three infantry regiments of the State Guard, or may serve as independent companies in the discretion of the Governor; and shall be governed by the State Guard law now in force, so far as the same is applicable to cavalry, and by the rules and articles of war.

§ 3. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	Charles B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	D. H. Smith,
G. W. Gates,	John McCann,	A. H. Stewart,
J. B. Hannah,	A. L. Peterman,	D. W. Wright—16.
John K. Hendrick,		

Those who voted in the negative, were—

B. F. Cockrell,	T. L. Glenn,	J. M. Pieratt,
Reuben Conner,	D. L. May,	Phil. Roberts,
W. W. Dickerson,	James H. Mulligan,	J. S. Wortham—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Wortham read and laid on the table the following joint resolution, viz :

WHEREAS, Since the adjournment of the last General Assembly, the Hon. D. Howard Smith departed this life at his home in Louisville, Kentucky ; be it

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That in the death of D. Howard Smith, Kentucky lost one of her most patriotic servants, who had been distinguished in the councils of State and in the field ; faithful to every public trust ; equal to every occasion, and true in all the relations of private life.

2. That this resolution be entered on the Journal of the General Assembly, and that the Secretary of State have a copy of the record engrossed and transmitted to the family of the deceased in expression of our common loss.

3. This resolution to take effect from and after its passage.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with,

Said resolution was taken up, twice read and adopted.

Mr. Dickerson moved that out of respect to the memory of Hon. D. Howard Smith, deceased, the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

THURSDAY, APRIL 24, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act regulating the sale of vinegar.

An act prescribing the duties of fiduciaries.

An act for the benefit of John Owens, of color.

An act authorizing the clerk of the Hardin County Court to grant and issue license for stud horses in certain cases for the year 1889.

An act to authorize the city of Mt. Sterling to sell four feet of land.

An act to survey and locate the boundary line between the county of Warren and the counties of Edmonson, Butler, Logan, Simpson, Allen and Barren.

An act to amend an act, entitled "An act to establish a court of common pleas in the county of Christian," approved February 6, 1888.

With amendments to the two last-named bills,

Said two last named bills were referred to the Committee on General Statutes.

That they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to authorize the county court of Fayette county to obtain, purchase or lease turnpike roads in said county, and maintain them free of toll from the traveling public,

With an amendment thereto.

The rules were suspended, and said amendment was taken up and concurred in.

That they had passed bills and a joint resolution, of the following titles, viz:

1. An act for the benefit of B. M. Rice and Jesse Pittman, assistant elisors of Mnhlenburg county.

2. An act to amend section 19 of article 1 of chapter 39 of the General Statutes.

3. An act to make county surveyors office in Todd county, compatible with that of deputy county court clerk, and to ratify work already done.

4. An act to amend sections 4 and 7 of article 6 of chapter 33 of the General Statutes.

5. An act to amend an act, entitled "An act to incorporate the town of Cerulean Springs, in the county of Trigg," approved March 9, 1888.

6. An act to change the location of the State road in Floyd county, and to provide for the building of bridges across the mouths of Abbott creek and Middle creek in said county.

7. An act to incorporate the Constitutionalist Printing and Publishing Company of Eminence, in Henry county.

8. An act to authorize the judge of the Montgomery Quarterly Court to appoint a clerk for said court, and to define his powers and duties.

9. An act to amend an act, entitled "An act to incorporate the city of Paris, which became a law March 28, 1890.

10. An act for the benefit of William Girdner, late sheriff of Knox county, and his sureties.

11. Resolution providing for a joint committee to draft and report a bill for the continuance of the Geological Survey.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Claims; the 2d, 3d and 4th to the Committee on General Statutes; the 5th and 10th to the Committee on the Judiciary; the 6th to the Committee on Propositions and Grievances; the 7th to the Committee on Public Expenditures; the 8th to the Committee on Courts of Justice; the 9th to the Committee on Agriculture and Manufactures, and the 11th, the resolution, was referred to the Committee on Geological Survey.

Mr. Mulligan withdrew the motion heretofore entered by him, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act imposing a tax on dogs in Fayette county, and pro-

viding for its collection and appropriation for the payment of sheep killed in said county by dogs.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to enforce the satisfaction of judgments against railroad companies ;

An act authorizing the county judge of Simpson county to appoint a board or committee to sell real estate belonging to Simpson county ;

An act to amend an act, entitled "An act to provide for removing obstruction in the water-courses of Calloway county," approved the 8th day of March, 1886 ;

An act to incorporate the Home for Friendless Women, located at Louisville, Kentucky ;

An act to incorporate the town of West Louisville, in Daveiss county ;

An act to empower the Campbell County Court to subscribe to the capital stock of turnpike roads in said county ;

An act to provide for the construction and repairs of public roads in Carter, Breathitt and Elliott counties ;

An act in relation to roads and bridges in Ohio county ;

An act to incorporate the Kentucky Abstract and Guaranty Association ;

An act to amend an act, entitled "An act to incorporate the town of Rowland, Lincoln county ;"

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of, and to reduce into one the several acts relating to the town of Eddyville, in Lyon county,' chapter 221, Acts General Assembly ;

An act to incorporate the Midway Hotel Company ;

An act to amend an act incorporating the Dutch Tract Cemetery Company at Pleasureville, Henry county," approved March 5, 1879, and amendment, approved 14th March, 1871 ;

An act to prohibit the destruction of fish in the Kentucky river and its tributaries, and to prescribe a penalty therefor ;

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county ;

An act to amend an act, entitled "An act to incorporate the Carrollton and Prestonsville Bridge Company ;"

An act to amend chapter 923 of the Acts of the General Assembly of Kentucky, approved April 7, 1888, entitled "An act to incorporate the town of Springville, in Greenup county ;"

An act to authorize the county court of McLean county to levy a per capita and an ad valorem tax for the purpose of building and keeping in repair bridges in said county ;

An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city ;

An act to amend section 6, article 8 of the General Statutes, chapter 96, title "Schools ;"

An act to repeal an act, entitled "An act for the benefit of E. L. Wisdom and Green Atwell ;"

An act to incorporate the Cypress Pond Draining Company of Union county ;

An act to amend the charter of the Louisville Jockey Club and the amendments thereto ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of School Districts Nos. 20 and 43, in Morgan county ;

An act authorizing the commissioners of Lawrence county to apply the county tax on Ohio & Big Sandy Railroad Company's road and property in payment of expenditures for right of way ;

An act to incorporate the Owensboro & Madisonville Railroad Company ;

An act supplementary to and to amend an act, entitled "An act to incorporate the Hopkinsville & Cadiz Railroad Company," approved April 8, 1884 ;

An act to establish an additional voting precinct in Hickman county ;

An act to re-enact and amend an act, entitled "An act to amend an act, entitled "An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same," approved May 10, 1884 ;

An act for the benefit of Francis M. Gibson, of Wayne county ;

An act to charter the Cowan Station and Battle Run Turnpany Road Company, in Fleming county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county;"

An act to incorporate Clinton Lodge No. 23, Knights of Pythias;

An act to prevent fast riding and driving across bridges in Elliott county;

An act to amend an act, entitled "An act to incorporate the Deposit Bank of Russellville, Kentucky," approved May 13, 1886;

An act for the benefit of White Common School District No. 49, Elliott county;

An act to amend the charter of Bellone, Campbell county;

An act to amend an act, approved April 2, 1890, entitled "An act to incorporate Mitchell, Finch & Company's Bank of Maysville, Kentucky;

An act to amend the charter of the Bank of Commerce;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. McCain, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to regulate the transportation of coal by railroads in this Commonwealth.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That all charges or receipts for the transportation of coal by railroad corporations in this Commonwealth shall be according to the following schedule of maximum rates and distances on each ton hauled, and in the same proportion for each fraction over a ton that the fraction bears to one ton:

DISTANCE IN MILES.

DOLLARS AND CENTS PER TON.

5 miles and under	\$0 55
10 miles and over 5	60
15 miles and over 10	65

DISTANCE IN MILES.

DOLLARS AND CENTS PER TON.

2 miles and over 15	70
25 miles and over 20	72
30 miles and over 25	75
35 miles and over 30	77
40 miles and over 35	80
45 miles and over 40	85
50 miles and over 45	87
55 miles and over 50	90
60 miles and over 55	92
65 miles and over 60	95
70 miles and over 65	1 00
80 miles and over 70	1 02
90 miles and over 80	1 05
100 miles and over 90	1 10
120 miles and over 100	1 20
130 miles and over 120	1 25
140 miles and over 130	1 35
150 miles and over 150	1 40
175 miles and over 150	1 50
200 miles and over 175	1 60
225 miles and over 200	1 70
250 miles and over 225	1 80
275 miles and over 250	1 90
300 miles and over 275	2 00
350 miles and over 300	2 10
400 miles and over 350	2 25
450 miles and over 400	2 35
500 miles and over 450	2 50

§ 2. If any railroad corporation, person or receiver operating a railroad in whole or in part in this Commonwealth shall charge or receive for the transportation of coal to any station or point on its road or the road of another a greater sum than that fixed in the foregoing schedule of rates shall be deemed guilty of a misdemeanor, and for each offense shall, on indictment and conviction, be fined in the sum of one hundred and fifty dollars.

§ 3. The said corporation may charge or receive a less sum for the transportation of coal than that fixed in the schedule in section 1 of this act, but shall not charge a greater sum than is therein fixed.

§ 4. All laws and parts of laws and all provisions in railroad charters in conflict with this act are hereby repealed.

§ 5. This act shall take effect sixty days from and after its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. McCain, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to provide for the erection of gates or the placing of flagmen where steam railroads cross certain highways.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That at any point where a highway, turnpike or other traveled way is crossed at the same level by a steam railroad the county court held by the county judge of the county may, upon the application of any person interested, and upon ten days' notice to the railroad corporation whose road is so crossed, order that a flagman be stationed at such point, or that gates shall be erected across such highway, turnpike, plank road or traveled way, and that a person be stationed to open and close such gates when an engine or train passes, or make such other order respecting the same as it deems proper. Such order shall only be made after the refusal or neglect of such corporation to station such flagman or erect such gates after having been requested so to do by some person interested in having such crossing made safe for travel.

§ 2. That on the failure of such railroad corporation to comply with any order of the county court made in pursuance of this act it shall be liable to a penalty of one hundred dollars for every thirty days of such neglect, to be recovered by warrant in the county court or any magistrate's court of such county.

§ 3. This act to take effect from its passage.

Asked to be discharged from the further consideration of said leave,

Which was granted.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, from the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Newman, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to prohibit hunting or fishing by non-residents of this Commonwealth in Bayou precinct, McCracken county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the Burlington Hotel and Livery Stable Company, in Burlington, Boone county, Kentucky.

By same—

An act to incorporate the Elkhorn and Big Sandy River Bridge Company.

By same—

An act to incorporate the Pineville Lime and Cement Company.

By same—

An act to incorporate the Elkhorn Land and Mining Company.

By same—

An act to incorporate Buford Lodge No. 494, Free and Accepted Masons, at Midway, Woodford county, Kentucky.

By same—

An act to incorporate the Midway Cemetery Company.

By same—

An act to authorize and empower the court of levy and claims of Floyd county to sell and convey the old court-house property in the town of Prestonsburg.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to incorporate the Pineville Water Company of Pineville, Bell county.

By Mr. McCain, from the Committee on Public Expenditures—

An act to divide Carlisle civil district No. 4, into two election precincts.

By same—

An act to incorporate Lily Lodge Knights of Pythias, No. 67, of Carlisle.

By same—

An act to incorporate Weston, Locust Grove and Cassady Creek Turnpike Road Company.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, vinous and malt liquors, and the mixture thereof, within one mile of Bethany Church, Hollbrook, in Grant county.

By same—

An act to provide for the establishment of a regimental cavalry post in Fayette county.

By same—

An act to add Morgan county to the court of common pleas district, composed of the counties of Estill, Powell, Lee, Wolf, Breathitt and Knott, and fix a time for holding the common pleas court therein.

By same—

An act appointing commissioners to select, locate and designate a place whereon to build the court-house, clerks' office and jail of Magoffin county, in the corporate limits of the town of Salyersville.

By same—

An act to amend an act, entitled "An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors and fixing the penalty for the sale of liquors in said county," approved January —, 1890.

By same—

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within two miles of the Baptist Church, at Hickory Grove, Graves county, Kentucky.

By same—

An act to incorporate Pleasant J. Potter College.

By Mr. May, from the Committee on Railroads—

An act to incorporate the Princeton Belt Railway Company.

By Mr. Bradley, from the same committee—

An act to incorporate the Kentucky River and Virginia Railroad Company.

By same—

An act to incorporate the Louisville, Mt. Sterling & Norfolk Railroad Company.

By same—

An act to incorporate the Salyersville, Prestonsburg & Norfolk Railway Company.

By same—

An act to incorporate the Elkhorn & Pineville Railway Company.

By Mr. Lunsford, from the same committee—

An act to incorporate the Princeton Street Railway Company.

By same—

An act to incorporate the Prestonsburg & Southern Railway.

By Mr. Kemp, from the same committee—

An act to incorporate the Louisville, St. Louis & Nashville Railway Company.

By Mr. Breckinridge, from the same Committee—

An act to incorporate the Kentucky Cannel Coal Railroad Company.

By same—

An act requiring safety gates and a watchman to be kept at the crossing of the Maysville & Big Sandy Railroad, and the Maysville, Orangeburg and Mount Carmel Turnpike Road, in the town of Chester, in Mason county.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to incorporate the town of Sturgis, in Union county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act declaring Little Barren river a lawful fence from its mouth to Osceola, in Green county.

By same—

An act to authorize the Hardin County Court to levy an ad valorem tax.

By same—

An act to permit magisterial districts in the county of Boone, to vote on bridge tax and build bridges.

By same—

An act to authorize the Wolper Creek Turnpike Road Company to collect toll when the bridge is out of repair, provided they make a good passway around the same.

By same—

An act to declare Beaver creek, in Floyd county, navigable for push-boats, and to provide for the improvement of the same, and removal of mill-dams across said stream, and for compensation to the owners of same.

By same—

An act to amend an act, entitled "An act to prevent farm stock from running loose within the corporate limits of the town of Ghent."

By same—

An act to authorize S. L. Bays to construct a boom across the Little Fork of Little Sandy River, in Carter county.

By same—

An act to incorporate the Pleasant Grove Cemetery Company.

By same—

An act to amend an act, entitled "An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county."

By same—

An act for the benefit of the Paducah Jockey Club and Fair Association at Paducah, Kentucky.

By same—

An act to incorporate the town of Lily, in Laurel county.

By same—

An act to prevent false timing at trotting contests in the Commonwealth of Kentucky.

By same—

An act to change the county line between the counties of Lee and Estill.

By same—

An act to incorporate the Hebron and Burlington Turnpike Road Company.

By Mr. Newman, from the same committee—

An act to dispose of the stock owned by the State of Kentucky in the Springfield and Bardstown Turnpike Road Company.

By same—

An act to authorize T. J. Fraley to erect a mill-dam across John's creek, in Floyd county.

By same—

An act to authorize George C. Perry, or his assignees, to erect a mill dam across Greasy creek, in Johnson county.

By same—

An act to amend the charter of the town of California, in the county of Campbell.

By Mr. Peterman, from the same committee—

An act to amend the charter of the town of Glasgow Junction, in Barren county.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act for the benefit of criminals under sixteen years of age.

By same—

An act to incorporate St. Xavier's College of Louisville, Kentucky.

By Mr. Anderson, from the Committee on Privileges and Elections—

An act to provide for the registration of voters in the county of Powell.

By same—

An act to amend an act, entitled “An act to regulate voting at primary elections, and to prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties,” approved April 19, 1880, and to apply the provisions thereof to Pendleton county.”

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend the charter of the Frankfort Coal and Iron Mining, Oil, Salt and Timber Company.

By same—

An act to further amend the act to incorporate the town of New Castle, in Henry county.

By same—

An act for the benefit of W. M. Callis, of Trimble county.

By same—

An act to distribute the surplus fund in turnpike district No. 1, in Henry county.

By same—

An act to incorporate the Turner's Station and Providence Turnpike Roads, in Henry county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale and use of spirituous, vinous and malt liquors in Knott county.

By same—

An act to prohibit the sale of whisky within three miles of the town of Bernstadt, in Laurel county.

By Mr. McCain, from the Committee on Public Expenditures—

An act to prevent the keeping of toll gates or collection of tolls or requiring promise to pay toll on the Bardstown and Green River Turnpike Road, within two miles of the town of Buffalo, in Larue county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to repeal an act, entitled “An act to amend an act,

entitled 'An act to further regulate the retail traffic in spirituous, vinous and malt liquors and nostrums used as a beverage,' approved April 26, 1886.

By same—

An act to incorporate the Kentucky Baptist Historical Society.

By same—

An act to incorporate the St. Patrick's Total Abstinence Society of the Church of St. James, Brooksville, Kentucky.

By same—

An act to amend an act, entitled "An act to incorporate the Campbell County Protestant Children's Home," approved April 3, 1884.

By same—

An act to incorporate Gray Lodge No. 27, Knights of Pythias of Versailles, Kentucky.

By same—

An act to incorporate the United Hebrew Relief Association of Louisville.

By same—

An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town.

By Mr. Lunsford, from the Committee on Railroads—

An act to charter the Altamont & Manchester Railroad Company.

By Mr. Bradley, from the same committee—

An act to amend an act, entitled "An act to incorporate the Jellico Mountain Coal and Coke Mining and Transportation Company."

By Mr. McCain, from the same committee—

An act to amend an act to incorporate the Cumberland Railroad Company.

By Mr. Kemp, from the same committee—

An act to amend the charter of the Evansville Bridge Company.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act authorizing and empowering the court of levy for

Bracken county to subscribe and take stock in certain turnpike roads.

By same—

An act to incorporate the Falmouth Electric Light, Heating and Motive Power Company.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Colored Cemetery Company of Nicholasville, Kentucky.

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to incorporate the Masonic Temple Company, of Richmond, Kentucky.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof," approved April 19, 1886.

By Mr. McCann, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Clifton and Reservoir Park Railroad Company.

By Mr. Breckinridge, from the same committee—

An act to incorporate the Lebanon and North and South Railway Company.

By same—

An act to incorporate the Catlettsburg Street Railway Company,

With amendments to the five last-named bills.

Which were adopted.

Ordered, That said bills, the five last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Kemp, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Paducah, Cairo and Southwestern Railroad Company," approved February 24, 1888,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Breckinridge, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Lancaster, McKee and Middleborough Railroad,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Berry moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Zion, in Henderson county, Kentucky,

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Berry proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Anderson—

1. A bill, entitled "An act to incorporate the Jellico & Beattyville Railroad Company."

On motion of same—

2. A bill, entitled "An act incorporating the Jellico & Muncordsville Railroad."

On motion of same—

3. A bill, entitled "An act incorporating the Jellico, Kentucky & Lexington, Kentucky, Railroad."

On motion of same—

4. A bill, entitled "An act incorporating the Jellico & Cumberland Gap Railroad."

On motion of Mr. Breckinridge—

5. A bill to incorporate the Kentucky River & Virginia Railroad Company.

On motion of Mr. Paul—

6. A bill, entitled "An act to incorporate the Cumberland River & Knoxville Railroad Company."

On motion of Mr. Terry—

7. A bill for the benefit of S. C. Long, J. Q. A. Stewart, J. L. Shallcross, commissioners to supervise the improvement of the Eastern and Central Lunatic Asylum.

On motion of Mr. Smith—

8. A bill to incorporate the Hodgenville & Glasgow Railroad Company.

On motion of Mr. Conner—

9. A bill to incorporate the Burlington Hotel and Livery Stable Company, in Burlington, Boone county, Kentucky.

On motion of Mr. Peterman—

10. A bill, entitled "An act to amend an act to incorporate the Kentucky Chautauqua Assembly."

On motion of Mr. Mulligan—

11. A bill to provide for the establishment of a regimental army post in Fayette county.

On motion of Mr. Gates—

12. A bill to regulate municipal elections in the city of Owensboro.

On motion of same—

13. A bill, to amend an act, entitled "An act changing the boundary and limits of the city of Owensboro, in Daviess county."

On motion of same—

14. A bill to incorporate the Central City Mineral Railroad Company.

On motion of same—

15. A bill to incorporate the Peoples' Bank of Owensboro.

On motion of same—

16. A bill constituting Green river a lawful fence from its mouth to the point where it forks with Barren river.

On motion of same—

17. A bill to establish an additional magisterial district in Daveiss county.

On motion of same—

18. A bill to amend an act, to amend an act, entitled "An act to fix the compensation of the circuit court clerks in Commonwealth cases in this Commonwealth," approved May 10, 1884.

On motion of same—

19. A bill to exempt any railroad that may be built in Muhlenburg county from any tax that may be levied to pay the debt, or any part thereof, created by subscription of said county to the Elizabethtown and Paducah Railroad Company, but not to exempt said railroad to be built, from any other tax.

On motion of Mr. Glenn—

20. A bill to limit, regulate and provide for printing and distributing the Local and Private Acts in the General Assembly.

On motion of Mr. Poyntz—

21. A bill requiring safety gates and a watchman to be kept at the crossing of the Maysville and Big Sandy Railroad and the Maysville, Orangeburg and Mt. Carmel Turnpike Road in the town of Chester, in Mason county.

On motion of Mr. Pieratt—

22. A bill to incorporate the Breathitt County Bridge Company.

Ordered, That the Committee on Railroads prepare and bring in the 1st, 2d, 3d, 4th, 5th, 6th, 8th, 14th, 19th and 21st; the Committee on Claims the 7th; the Committee on Propositions and Grievances the 9th; the Committee on Education the 10th; the Committee on Internal Improvements the 12th, 13th, 16th, 17th and 22d; the Committee on Banks and Insurance the 15th; the Committee on Courts of Justice the 18th, and the Committee on Printing the 20th.

Mr. Hays asked the appointment of a committee on the part of the Senate to ask the withdrawal from the House of Repre-

sentatives of the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Bank of Garfield of Prestonsburg, in Floyd county,

Which was granted,

Whereupon the Speaker appointed Mr. Hays such committee.

After a short time, Mr. Hays, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Hays moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

Mr. Hays proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same,'" approved March 18, 1884.

An act to incorporate the Brushy Fork and Scrubgrass Turnpike Road Company, in Nicholas county.

An act to incorporate the Baptist Ministers' Aid Society of Kentucky.

An act to incorporate the Mitchellsburg and Rolling Fork Turnpike Road, in Boyle county.

An act to prevent stock running at large on turnpike roads in Montgomery county.

An act concerning the St. Clair street bridge in Frankfort, Kentucky.

An act to amend the charter of the Warren Deposit Bank.

An act for the benefit of commissioners and receivers.

An act to repeal an act, entitled "An act to repeal an act to amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads, and to issue bonds for the same,'" approved March 2, 1888.

An act to amend an act, entitled "An act to incorporate the Bowling Green Land and Improvement Company."

An act for the benefit of Katy Ann Gillen, of Bath county.

An act to amend the charter of the city of Clinton.

An act concerning the subscription of Clark county to the Kentucky Union Railway Company, being amendatory of an act approved April 12, 1888, entitled "An act to amend an act, entitled 'An act to regulate subscriptions to the capital stock of railroad companies in Clark county.'"

An act to amend an act, entitled "An act to incorporate the Kentucky Household Gas Supply Company, and to change its name to the Kentucky Fuel Gas Company.

An act to extend and better define the limits of the city of Frankfort.

An act to amend an act, entitled "An act to incorporate the Central Transfer Company," approved April 16, 1884.

An act to regulate municipal elections in the city of Bowling Green.

An act to provide for the registration of voters in the city of Bowling Green.

An act to incorporate the Junction Turnpike Company.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was recommitted a bill, which originated in the Senate, entitled

An act providing for the employment of the convicts of the penitentiary in the construction of turnpikes in certain counties in this Commonwealth,

Reported the same, with an amendment as a substitute therefor.

Said bill reads as follows, viz:

WHEREAS, There are many undeveloped counties in this Commonwealth which have received no benefits from the large sums

of money which have been, from time to time, expended by the State in improving rivers and constructing turnpikes; and whereas, the development of the natural resources of these counties would greatly increase the value of their property, and soon convert many of the now so-called pauper counties into large revenue-paying counties; and whereas, the present system of hiring and letting the convicts of the penitentiary to contractors to be worked outside of the prison walls is cruel in the extreme to said convicts and grossly unjust to the free labor of the State; therefore, for the purpose of bettering the condition of these counties and developing their inexhaustible natural resources by constructing through them turnpikes and thoroughfares with convict labor under the supervision of the State,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That immediately after the passage of this act the Sinking Fund Commissioners shall appoint three well-qualified persons as commissioners, one of whom at least shall be a practical surveyor and engineer, whose duty it shall be, after being sworn to faithfully perform the duties assigned them to the best interests of the State, to survey and locate such turnpike roads through the undeveloped portions of the State as the Sinking Fund Commissioners may direct. The first three lines, however, shall be in that portion of the State having the largest undeveloped territory; one line beginning at the termination of the turnpike in Montgomery county, near Slate creek, and running by the way of Frenchburg, in Menefee county, to Hazel Green, in Wolfe county; there dividing, one line running by the way of Salyersville, in Magoffin county; Prestonsburg, in Floyd county; Pikeville, in Pike county, and terminating at the Virginia State line where the Lavisa fork of the Big Sandy river enters Kentucky, its other division running by the way of Hindman, in Knott county; Whitesburg, in Letcher county, and terminating at the Virginia State line, at or near the Pound Gap. Another line, beginning at the railroad depot at London, in Laurel county, and running by the way of Manchester, in Clay county; Hyden, in Leslie county; Hazard, in Perry county, and Hindman, in Knott county, and terminating at the Big Sandy river near Prestonsburg, in Floyd county. And the third line, beginning at the railroad near Pineville, in Bell county, and terminating at the Virginia State line, at or near Proctor's Gap, in Letcher county.

§ 2. Said commissioners shall report to the Sinking Fund Commissioners as soon after completing the surveys herein named as practicable, stating in detail the following facts: The number of miles in each line; the number of miles in each county through which they shall run; the number of miles between each town on each line; the name of each stream of water crossed; the number, length and location of each bridge, culvert and fill on each line; the number and grade of hills and

elevations, and such other facts as the Sinking Fund Commissioners, or they, as surveyors, may deem necessary, together with the probable cost of the right of way through each county, and the probable cost of said turnpikes to the several counties and the State, and the probable length of time required to construct same.

§ 3. Upon receiving the report of the commissioners of the surveys herein named the Sinking Fund Commissioners shall negotiate with the lessees of the convict labor, and, if possible, so modify the present contract without serious loss to the State as to allow a certain number, not less than three hundred, to be used by said Sinking Fund Commissioners in constructing the turnpikes aforesaid in the manner hereinafter provided. If such terms as, in the opinion of the commissioners, is just and right, taking into consideration the great advantage to be derived by the State from working said convicts in constructing the turnpikes aforesaid, can not be agreed upon, then the Sinking Fund Commissioners shall, as early as practicable, release said lessees of their entire contract and take charge of the convicts on the part of the State. At the very latest this shall be done at the expiration of the present term of lease with the present contractors. Then all the female convicts and disabled and long-termed male convicts shall be worked on the inside of the prison walls, on what is known as the State plan, with a view to protect the best interests of the State, and improving the condition, morally and physically, of said convicts, under such rules and regulations consistent with this act and not in conflict with any law of this State as the Sinking Fund Commissioners may adopt; and all the able-bodied, short-termed male convicts shall thereafter employed in constructing the turnpikes aforesaid, and such other turnpikes as the Sinking Fund Commissioners may direct as hereinafter provided.

§ 4. The Sinking Fund Commissioners shall adopt such plans and specifications for constructing said turnpikes as, in their judgment, will insure their construction at the least cost, consistent with the health and comfort of the convicts, in the shortest time, and they shall also prescribe such rules and regulations for working, controlling and guarding said convicts, under proper, competent superintendents and guards, as, in their judgment, will secure the greatest amount of work, and at the same time guard carefully the comfort and health of the convicts, and prevent the same from making their escape.

§ 5. Proceedings to secure the right of way, where the same is not donated, for said turnpikes, shall be the same as prescribed by the General Statutes for securing the right of way for turnpikes and railroads. The cost of the right of way and the cost of securing the right of way for said turnpikes shall be paid by the respective counties through which they run; and it shall be the duty of the county levy court of each county through which said turnpikes shall run to secure, in any way

they deem proper, the right of way for such turnpikes, and pay for the same. It shall also be lawful, and it shall be the duty of each county levy court through which said turnpikes shall run, to appropriate such reasonable amount as they may deem proper, not, however, to exceed twenty-five cents on each one hundred dollars' worth of taxable property in the counties in any one year, to aid the State in constructing said turnpikes through their respective counties. Said turnpikes shall be kept and maintained by the counties, as provided in chapter 14 of the General Statutes, entitled "Roads and Passways."

§ 6. One superintendent, with a salary of twelve hundred dollars per year, shall be appointed for each three hundred convicts employed on said turnpikes, and execute bond to the satisfaction of the Sinking Fund Commissioners, who shall take an oath to faithfully perform the duties of his office; and a sufficient number of guards shall be appointed as will secure good discipline and prevent the escape of the convicts, who shall be paid such salaries as are now paid to guards for similar services. The pay of all the guards and all necessary expenses herein attached, including boarding, clothing and necessary medical attention not provided for by the counties, shall be paid out of the State Treasury upon warrants drawn by the Auditor of Public Accounts, upon vouchers signed by the superintendent and approved by the Sinking Fund Commissioners. The salary of the superintendent shall be paid out of the State Treasury upon warrants drawn by the Auditor of Public Accounts, upon vouchers signed by the Sinking Fund Commissioners. The commissioners herein provided for to survey the said turnpike roads shall each receive five dollars per day for each day's service actually and necessarily performed, to be paid out of the Treasury upon a warrant drawn by the Auditor of Public Accounts, upon vouchers signed by the Sinking Fund Commissioners.

§ 7. This act shall take effect and be in force from and after its passage.

Said proposed substitute reads as follows, viz :

WHEREAS, There are many undeveloped counties in this Commonwealth which have received no benefits from the large sums of money which have been, from time to time, expended by the State in improving rivers and constructing turnpikes; and whereas, the development of the natural resources of these counties would greatly increase the value of their property, and soon convert many of the now so-called pauper counties into large revenue-paying counties, and tend greatly to reduce the lawlessness that is said to exist in some of these counties; therefore, for the purpose of bettering the condition of these counties and developing their natural resources by constructing through them turnpikes with convict labor, under the supervision of State and counties respectively,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That as soon after the passage of this act as practicable, the Sinking Fund Commissioners shall negotiate with the present contractors, or lessees of the convict labor, and, if possible, so modify the present contract, without serious loss to the State, as to allow a certain number, not, however, to exceed — hundred of said convicts, to be employed in the construction of turnpikes as hereinafter provided. If such terms as, in the opinion of said Commissioners, are just and right, taking into consideration the advantages to be derived by the State from the construction of such turnpikes, can be agreed upon without violating any terms of contract heretofore entered into by the State, then said Commissioners shall notify the several counties in this Commonwealth, through their respective county levy courts, by printed circulars or pamphlets, of the terms of agreement with the present contractors or lessees, and the terms upon which counties may secure the labor of such convicts, subject to the limitations and restrictions hereinafter given, together with such rules and regulations for transporting, working, guarding, and caring for said convicts as, in their opinion, will best secure their comfort and safety, and at the same time insure economy and rapid progress in the work to be performed, reserving to themselves the right, for good cause, to withdraw any or all of such convicts at pleasure.

§ 2. It shall be the duty of the county levy courts of such counties as desire to avail themselves of the benefits of convict labor for the purposes herein provided, upon the receipt of the notice provided for in the preceding section, to provide for feeding and caring for such convicts while at work in their respective counties, and for defraying the expenses of securing the right of way for constructing and superintending the construction of such turnpikes as may be desired, and for this purpose it shall be lawful for them to levy an ad valorem and capitation tax, not, however, to exceed fifty cents on each one hundred dollars' worth of property, and one dollar on each poll in the county in any year, conditioned upon securing such convicts. Any tax levied by virtue of this act shall be collected by the sheriff, or some person appointed by the court, who shall execute bond therefor to the satisfaction of said court. The money so collected shall be turned over to the county treasurer, or some person designated by the court, who shall also execute bond for the same to the satisfaction of said court. Said money shall be kept and disbursed at such times and in such manner and for such purposes consistent with this act as the court may direct: *Provided*, That the requisite amount to pay for feeding and caring for said convicts while actually at work in the county shall always be subject to and payable upon the order of the Sinking Fund Commissioners through their authorized agent, superintendent or chief guard.

§ 3. Whenever the county levy court of any county shall have made all necessary provisions for feeding and caring for the convicts while at work in their county, they shall notify the Sinking Fund Commissioners of that fact, and make requisition for such number of able-bodied, short-termed, male convicts as desired, not, however, less than fifty nor more than one hundred and fifty at any one time; whereupon said Sinking Fund Commissioners shall, if such convicts are on hand and at their disposal, furnish the same: *Provided*, That preference shall be given to undeveloped and remotely situated counties: *And provided further*, That where two or more of such undeveloped and remotely situated counties join in one notice and requisition for the purpose of constructing through lines of turnpikes, preference shall be given them over all others.

§ 4. The necessary guards for working and safe-keeping of the convicts shall be furnished by the Sinking Fund Commissioners, who shall receive the same salary as guards in the penitentiary now receive for similar services, to be paid monthly out of the State Treasury, upon warrants drawn by the Auditor upon vouchers signed by the Sinking Fund Commissioners. The cost of transporting and clothing convicts employed as herein provided, and all cost necessary to carry into effect the provisions of this act not paid by the counties as herein provided, shall be paid out of the State Treasury, upon warrants drawn by the Auditor upon vouchers signed by the Sinking Fund Commissioners.

§ 5. This act shall take effect and be in force from and after its passage.

And the question being taken on the adoption of said amendment proposed as a substitute for said bill, it was decided in the affirmative.

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wortham and Berry, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	John McCann,
Ben F. Bradley,	John R. Kemp,	John P. Newman,
R. J. Breckinridge,	William Lindsay,	J. J. Paul,
B. F. Cockrell,	J. H. Lunsford,	A. L. Peterman,
Reuben Conner,	J. W. Martin,	J. M. Pieratt,

W. W. Dickerson,	D. L. May,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	B. F. Reynolds,
William Goebel,	J. W. McCain,	A. H. Stewart—24.

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	J. S. Wortham—5.
T. L. Glenn,	G. Terry,	

Resolved, That the title of said bill be as aforesaid.

Mr. Lunsford asked for the appointment of a committee on the part of the Senate to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Paragon Electric Company,
Which was granted.

Whereupon the Speaker appointed Mr. Lunsford such committee on the part of the Senate.

After a short time, Mr. Lunsford, from said committee, reported that the committee had performed that duty, and had delivered said bill into the possession of the House of Representatives.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, April 23, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled "An act to amend an act, entitled 'An act to incorporate the district of Clifton, in Campbell county,' " approved February 15, 1888.

The first section of the bill proposes to add as an amendment to the third section of the original act, in relation to the powers of the trustees of the district, the following :

"They may affix such penalties for violations of ordinances or by-laws not to exceed a fine of \$100 or imprisonment in the Newport jail not exceeding six months, or both in the discre-

tion of the court for each offense. They may, for good reason, by unanimous vote remit fines, penalties and forfeitures, or any part thereof, so far only as the district is interested therein."

It is necessary only to invite the attention of the Senate to a consideration of the division by the Constitution of the powers of the government into three separate and distinct departments, and the denial of the right of anyone connected with one of these departments to exercise any of the powers appertaining to any other department.

With a few specified exceptions the whole power of remitting fines, penalties and forfeitures is devolved by the Constitution on the executive department alone. As the legislative department is forbidden to exercise this power, it necessarily results that they can not confer upon a local Legislature created by their act a power which they themselves can not exercise.

A mere statement of the case will assure a reconsideration of this bill by the Senate.

Respectfully,

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 3 be amended by adding after the word "act" in the first line, the words, "and their successors." And after the word "trustees" in the third line, the words, "and who shall have the right to vote in case of a tie." And at the close of said section the following shall be added: "They may affix such penalties for violations of ordinances or by-laws not to exceed a fine of \$100, or imprisonment in the Newport jail not exceeding six months, or both, in the discretion of the court, for each offense. They may, for good reason, by unanimous vote, remit fines, penalties and forfeitures or any part thereof, so far only as the district is interested therein: *Provided*, That in case any person be imprisoned in the Newport jail under this section, the district shall pay to the jailer the fees which he is allowed by law for said confinement."

§ 2. All ordinances shall be read and submitted for discussion at two regular meetings of said board, and concurred in by a majority of the members elect: *Provided, however*, That the rules as to the reading at two regular meetings may be suspended by the unanimous vote of the members elect, exclusive of the president of the board, and the ordinances passed at the first meeting. Before general ordinances shall take effect and be enforced, they shall be published by posters or otherwise. No ordinance shall be amended but may be repealed, and no

ordinance shall pertain to but one subject, and that to be expressed in its title.

§ 3. All ordinances, contracts, or orders for the payment of money shall be passed or granted upon a call and record of the yeas and nays: *Provided*, That upon the request of any member the yeas and nays shall be called and recorded upon any subject.

§ 4. The trustees shall be twenty-five years of age, residents and property-holders within the district: *Provided*, That this shall not apply to any one who has heretofore become a member of the board of trustees.

§ 5. The regular meetings of the board of trustees shall be once a month. Said board shall have the right to select the time and place for holding its meetings, and to change the same whenever it deems necessary: *Provided*, Said meetings shall be held at some place within the limits of said district.

§ 6. Said board of trustees may prescribe such rules and adopt such manual as they shall deem best for their own government.

§ 7. All voting of the trustees shall be *viva voce*, except for the election of officers, which shall be by ballot.

§ 8. A majority of the members elect of the board of trustees, or three members and the president shall constitute a quorum for the transaction of business, though a smaller number may adjourn from time to time, to compel the attendance of absentees.

§ 9. No member of the board of trustees shall vote upon any measure in which he is directly or indirectly interested personally.

§ 10. The board of trustees shall have power to prescribe by ordinance the duties, oaths and bonds of all officers of the district, and may elect or appoint, besides the officers heretofore provided, an engineer and attorney for the district, and to fix the compensation of all officers or agents of the said district not otherwise provided herein, but such compensation shall not be changed during the term for which such officer or agent has been elected or appointed.

§ 11. The terms of officers elected or appointed by the board of trustees shall be for one year, and until their successors are elected and qualified.

§ 12. All officers elected or appointed by the board of trustees shall be elected or appointed at the first regular meeting of said board in January of each year.

§ 13. Any vacancy in any office, or in the board of trustees may be filled either by election or appointment by the board of trustees, until the next succeeding regular election.

§ 14. That section 4 of said act be repealed, and the following enacted in its stead: "Every male citizen of twenty-one years, who has resided within the State for one year, and within

the district for sixty days' next preceding any election shall be a voter.

§ 15. The elections provided for in the act to which this is an amendment, shall be held between the hours of six in the morning and seven in the evening. The board of trustees shall judge the eligibility and election returns of its own members and all district officers. The officers of election shall be two judges, one clerk and one sheriff, all of whom shall be appointed by the board of trustees. Said officers of election shall be sworn according to law before acting, and they shall count the vote, sign and seal the poll-book, and the sheriff of said election shall return the poll-book to the board of trustees, who shall officially count the vote at the first regular meeting after any election, declare who are elected, and issue certificates of election, which certificates shall be signed by the president and clerk of said board.

§ 16. The board of trustees shall have power to cause the removal or abatement of any nuisance on private property within the limits of said district, by proper ordinance, at the expense of the owner or occupant of the property.

§ 17. All the records and official proceedings of the board of trustees under the first incorporation, and all amendments thereto, are hereby declared public records, and shall be entitled to full faith and credit as such, and certified copies of any such records shall be read in all courts with like effect as other public records.

§ 18. No person shall have the right to open any tavern, hotel, coffee-house, drinking saloon or other place where vinous, spirituous or malt liquors are sold by retail, without first securing a license from the board of trustees of the district; such license to be granted only upon the majority vote of said board, upon the call of record of the yeas and nays. Said license in no case to be for a longer period than one year, and shall be not more than \$200 and not less than \$50, to be fixed by the board at said meeting, which sum shall be paid into the general fund of the district.

§ 19. Any violation of the preceding section shall be punished by a fine of not less than \$100 nor more than \$200, to be recovered by indictment and other proceedings in the Campbell Circuit Court.

§ 20. No road tax shall be levied or collected upon any person or property within said district, nor shall any person living in said district be required to work on any county road.

§ 21. All "public ways," as public streets, alleys, roads, lanes, avenues, highways, thoroughfares and sidewalks, shall be under the exclusive management and control of the board of trustees of said district and a committee, styled a "Committee on Improvements," as hereinafter provided, with power to improve them by original construction or reconstruction thereof, as may be provided by ordinance.

§ 22. A committee is hereby created, styled "A Committee on Improvements," to consist of the president of the board of trustees, who shall be *ex officio* the president thereof, the district engineer and one other person possessing the qualifications of a trustee, who shall be elected by the board of trustees at the same time that other officers are elected by it, from a list of three, to be presented to the board by its president: *Provided*, That for the year 1890 said number shall be selected at the first meeting of said board after the passage and approval of this act. The duties of said committee shall be as follows: When any improvement or repair is proposed on any street, alley, avenue, sidewalk or other public improvement in said district, other than by original construction, upon the proper petition it shall be referred to said committee, which shall examine into the matter and report, in writing, to the board of trustees whether such improvement or repair is proper or necessary before any ordinance shall be passed, or any contract let for such work, and should said committee report against any such improvement or repair, no ordinance shall be passed or contract let for any such work, except upon the unanimous vote of the members of the board of trustees, upon a call and record of the yeas and nays. Said committee shall also examine and report the acceptance or non-acceptance of any streets improved by original construction, and to hear and determine all complaints in regard to the work upon such improvements, and report in writing to the board of trustees.

§ 23. That section 7 be amended by adding after the word "accepted," in the 47th line thereof, the words "with two good and sufficient sureties, to be approved by said board," and also by striking out the sentence: "Said board shall, upon the awarding of such contract, cause the bonds of said district to be issued in an amount equal to the amount of the contract, in such denominations as said board may determine," and inserting in its stead the following: "Said board shall, after the expiration of sixty days from the acceptance of any such contract as completed, cause to be issued street improvement bonds of said district in an amount equal to the balance of the cost of such improvement remaining unpaid at the expiration of said sixty days;" and said section shall be further amended by adding after the word "months," and before the word "interest," in the second and fifth lines of the last proviso therein, the word "advance," and also by adding before the last sentence thereof this further proviso: *Provided, however*, Should any owner fail to pay any one year's assessment and the interest due during that year, then and in that event the whole assessment and interest against any such owner shall become at once due and payable, and said district shall have the right to proceed at once to enforce the lien allowed it, and to collect the same in any court of competent jurisdiction.

§ 24. Any street, avenue, etc., in any district may be improved

one-half its width by the proceedings and with like effect as in the construction of a whole street: *Provided*, That before any such half street shall be improved the grade shall be established for the whole street, and due regard had to the future construction of the other half.

§ 25. The board of trustees are hereby authorized and empowered to cause to be condemned and opened for the purpose of a street, road, alley or avenue, or any extension or widening or change thereof, any real estate in said district that the said board may deem necessary for public use; that when desirous of acquiring any such real estate for such purpose the said board may proceed by petition and other proceedings in the county court as in and by article 6, chapter 107, title "Towns," in the General Statutes, and the county court of Campbell county is authorized and required to act in all such cases and to effect all such purposes.

§ 26. That section 5 be amended by adding to it the following: The justice of the peace of the magisterial district in which Clifton is situated shall have concurrent jurisdiction with the police judge of all infractions of the by-laws and ordinances of said district of Clifton.

§ 27. The assessment of the taxes provided for in the act to which this is an amendment shall be made and valued as of the first day of March of each year, and a return thereof made on or before the 15th day of March of each year, on which day the books of the assessor shall be returned to the office of the district clerk, and there remain open to the free and unrestricted inspection of all persons concerned for ten days. Said books shall then be delivered to the board of equalization, who shall have power to make equitable and just corrections in any assessment where complaint is made to them, or where they are of the opinion any piece of property has not been correctly assessed or valued, and may add any property omitted by the assessor to the list. They shall keep a record of their proceedings, and shall certify same and the assessor's books and return them to the board of trustees. Said board of trustees shall then pass an ordinance for the levying and collection of taxes for that year, and direct the clerk to make out the tax bills in accordance with the corrected list. Said tax bills shall be made out in book-form with stub attached, which shall be a duplicate in brief of the tax-bill against each person assessed with taxes, specifying therein each item of taxation, the value thereof, and the tax imposed. The clerk shall, on or before the first day of May of each year, deliver to the person authorized to collect the same, said bills, taking his receipt for the gross amount of said bills. The collector, upon receipt thereof, shall publish notice that the tax-bills for the current year are in his hands for collection, and that payment is required to be made on or before September first, and that in default of payment the prescribed penalty will attach. Payment of all tax-bills shall be

officially indorsed by the collector, and all tax-bills for any year remaining in his hands unpaid, on the first day of September, shall be indorsed by him, delinquent, and returned to the district clerk, who shall thereupon enter a credit therefor upon the collector's receipt, and then add to said tax-bills such penalty as may be prescribed by ordinance, not exceeding ten per cent., and re-deliver the same to the collector, who shall receipt therefor, and all delinquent tax-bills remaining unpaid at the end of any year shall, with the penalty thereon, be added to the next annual tax-bill on the same property, and shall constitute one of the items thereof, and shall so continue to be added until paid, and a lien in favor of the district shall exist and continue upon said property for all the taxes, penalties and costs until the same are fully paid, and the district may institute proceedings in a court of competent jurisdiction to enforce said lien as other liens are enforced and with like effect, and said district shall have the further right to a personal judgment for any unpaid taxes, penalties and costs. The tax-bills shall be *prima facie* evidence of the plaintiff's right of recovery. The taxes collected under this act shall constitute the general fund of the district to be used as follows: For the repair of streets theretofore constructed; for the payment of the general expenses of the district in carrying on its government as herein provided, and may, when unanimously concurred in by the committee on improvements and the board of trustees, be used for the original construction of sidewalks on streets theretofore improved: *Provided*, All work shall be let upon bids. The board of trustees may, by unanimous vote of all its members, provide for illuminating the district with gas, or any other light, and bind the district by contract for the payment therefor: *Provided*, That no greater expense shall be incurred by said district in any one year for all purposes than can be paid out of the general fund of the district for that year.

§ 28. There is hereby created a board, styled "the Board of Equalization of the District of Clifton," which shall be composed of the president of the board of trustees and two others possessing the qualifications of a trustee, who shall be selected by the board of trustees out of a list of five, who shall be nominated to it by the president, and who shall be in session for five days, one hour each day; their duties shall be as set forth in the preceding section.

§ 29. All portions of the act approved February 15, 1888, which are inconsistent with this act are hereby repealed.

§ 30. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockreil,	J. W. Martin,	C. B. Poyntz,
Reuben Conner,	D. L. May,	B. F. Reynolds,
W. W. Dickerson,	James H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	D. W. Wright—26.
William Goebel,	John P. Newman,	

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	J. S. Wortham—4.
F. W. Darby,		

So said bill was passed, the objections of the Governor to the contrary notwithstanding.

Mr. McCain, from the Committee on Public Expenditures, to whom was referred an amendment adopted by the House of Representatives to a joint resolution, which originated in the Senate, entitled

Resolution providing for the *sine die* adjournment of the General Assembly,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Dickerson moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Breckinridge moved that when the Senate adjourn, it be to meet at 3 o'clock P. M. on this day.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal,

unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to charter the Mt. Pleasant Cemetery Company, in Ballard county.

Which was granted.

Whereupon the Speaker appointed Mr. Pieratt said committee on the part of the Senate.

After a short time Mr. Pieratt, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Pieratt moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Pieratt proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson, from the Committee on Penitentiary and House of Reform, to whom was referred leave to bring in a bill, entitled

An act to increase the pay of guards at Kentucky Penitentiary,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, The guards at the Kentucky Penitentiary have duty to perform 365 days in each year, knowing no holidays or

Sundays, at a salary of \$50 per month for 4, and \$40 per month for all the others, which is not sufficient to support them in anything like decency or common comfort ; and whereas, every fireman and policemen in all the well-regulated towns and cities in the State are paid a salary of at least \$60 per month. It is just and proper to the guards at the prison, who have to watch over the worst criminals in the State, that they should be equally compensated, their duties and time being more than policemen and firemen, that they should receive pay for their services as much at least as policemen and firemen of the towns and cities in the State ; and whereas, the positions at the prison are all alike responsible, and no distinction as regards salary should be made, but all paid the same amount ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the guards at the Kentucky Penitentiary be paid the sum of \$60 each per month for their services.

§ 2. The Auditor of Public Accounts is directed to issue his warrant on the Treasurer on the last day of each month for the amount between the present pay of guards and \$60 per month.

§ 3. This act to take effect from its passage, but in no way to cause the present lessees to pay any more for the services of guards than is specified in their contract, leasing the prison from the commissioners.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	J. H. Lunsford,	B. F. Reynolds,
G. W. Gates,	D. L. May,	D. H. Smith.
T. L. Glenn,	James H. Mulligan,	A. H. Stewart—24.

Those who voted in the negative, were—

Reuben Conner,	G. Terry,	J. S. Wortham—4.
J. W. Martin,		

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act for the benefit of tavern keepers,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That whenever a tavern or saloon keeper dies while doing business in this Commonwealth under a license from a county court or any city or town in this State, his personal representative, widow or next of kin shall have the right to continue said business until the expiration of said license upon the execution only of the bonds required by law, and in cases of assignment the assignee shall have the same right.

§ 2. That with the consent of the county court and the city council or board of trustees, where the applicant's place of business is in a city or town, the holder of such license may transfer the same to any *bona fide* purchaser, with the consent of the county court and city council, of his stock or place of business upon the execution of the bonds required by law.

§ 3. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned until 3 o'clock P. M.

AFTERNOON SESSION, 3 O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Together with a message from the Governor vetoing said bill.

Reported the same with the expression of opinion that said

bill ought to pass, the objections of the Governor to the contrary notwithstanding.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 1 of article 1 of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886, be, and the same is hereby, amended so as to substitute for the word "forty-seven," in the first line, the word "forty-two," and for the word "twenty," in the seventh line, the word "fifteen."

§ 2. This act shall take effect from and after its passage.

Said veto reads as follows, viz :

COMMONWEALTH OF KENTUCKY, }
EXECUTIVE OFFICE, }
FRANKFORT, March 22, 1890. }

Gentlemen of the House of Representatives :

I respectfully return without my approval, a bill, entitled "An act to amend an act, entitled 'An act to amend the revenue laws of the Commonwealth of Kentucky,' " approved May 17, 1886.

My reasons for disapproving of this bill have been set forth at length in a communication sent this day to both Houses of the General Assembly.

If this bill shall become a law without previous legislation reducing the expenditures of the government, the inevitable result will be the bankruptcy of the Treasury and the financial dishonor of the State.

Respectfully,

S. B. BUCKNER.

Mr. Lindsay moved that the further consideration of said bill and veto be postponed, and that they be made the special order of the day for Friday, May 2d, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Smith moved that the further consideration of said bill and veto be postponed, and that they be made the special order of the day for Monday, May 5, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Goebel moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the motion made by Mr. Smith that the further consideration of said bill and veto be postponed and made the special order of the day for Monday, May 5th, at 11 o'clock A. M., and from day to day until disposed of, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	William Lindsay,	D. H. Smith,
Reuben Conner,	J. W. McCain,	G. Terry,
G. W. Gates,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
F. W. Darby,	J. W. Martin,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	A. H. Stewart,
T. L. Glenn,	James H. Mulligan,	J. S. Wortham—17.
William Goebel,	John McCann,	

The question was then taken on the adoption of the motion made by Mr. Lindsay that the further consideration of said bill and veto be postponed and made the special order of the day for Friday, May 2d, at 11 o'clock A. M., and from day to day until disposed of, and it was decided in the affirmative.

And then the Senate adjourned.

FRIDAY, APRIL 25, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of two miles of the Smithsonville school-house in Harrison county.

An act to amend the charter of the city of Louisville.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act to make the offices of deputy clerk of the Daviess county court and county surveyor of said county compatible.

An act to require the lessees of railroads in this State to have the contract of lease recorded.

An act to amend the charter of the Cincinnati, Alabama and Atlantic Railroad Company.

An act to incorporate the Belt Railroad Company of Owensboro.

An act to incorporate the Somerset and Eastern Kentucky Railroad Company.

An act to incorporate the Bowling Green and Southern Railroad Company.

An act to incorporate the Corydon and Princeton Railroad Company.

An act to amend the charter of the Somerset Street Railway Company.

An act in relation to the subscription by the county of Bourbon for the capital stock of the Kentucky Midland Railway Company.

An act to amend the charter of the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act to amend the charter of the city of Winchester.

An act to amend an act, entitled "An act to incorporate the now-existing Louisville Gas Company, and grant it a new char-

ter," approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity.

An act to amend the charter of the Louisville Gas Company.

An act to prevent the establishment of pools and trusts and conspiracies, and to provide punishments therefor,

With an amendment to the last-named bill.

Said bill, together with the amendment thereto, was referred to the Committee on General Statutes.

That they had passed bills of the following titles, viz :

1. An act to authorize the county of Cumberland to subscribe aid to the Northwestern Railroad Company.

2. An act to amend an act to incorporate the Central Valley Railway Company.

3. An act to incorporate the Sacramento and Central City Railroad Company.

4. An act to incorporate the Owensboro Belt Line Railway and Transfer Company.

5. An act to establish an additional voting place in Daveiss county.

6. An act incorporating a street railway company in London, Kentucky.

7. An act to authorize the sale of Mill Grove and Kirksville Turnpike Road, in Madison county, and its franchises and privileges.

8. An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town.

9. An act to incorporate the Kirksville Fair Ground Company.

10. An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg, approved April 1, 1882.

11. An act to amend, revise and reduce into one all of the several acts concerning the town of Madisonville, and to re-incorporate said town.

12. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester, and to author-

ize the board of councilmen of said town to contract for a water supply for said town."

13. An act concerning the Madison Academy, in Richmond, Kentucky.

14. An act for the benefit of the Kentucky Institute for Deaf Mutes.

15. An act to amend the charter of the city of Covington.

16. An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876.

17. An act to promote the study of medicine and surgery in the Commonwealth of Kentucky.

18. An act to incorporate the Turner Station, Drennon Springs and Owenton Railroad.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 3d, 4th, 6th and 18th to the Committee on Railroads; the 5th and 15th to the Committee on Courts of Justice; the 7th, 9th, 12th, 13th, 16th and 17th to the Committee on Agriculture and Manufactures; the 8th to the Committee on Religion and Morals; the 10th and 11th to the Committee on the Judiciary, and the 14th to the Committee on Charitable Institutions.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act appropriating to the support of the Home of the Friendless, located in Louisville, Kentucky, fifty per cent. of all fines recovered and collected of houses of ill-fame in said city.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. McCann proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows, viz :

An act appropriating to the support of the Home for Friendless Women, located in Louisville, Kentucky, fifty per cent. of all fines recovered and collected of houses of ill-fame in said city.

Mr. Dickerson, from the Committee on Revenue and Taxation, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to establish a State Board of Equalization of Assessments in this Commonwealth,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to establish a State Board of Equalization of Assessments in this Commonwealth," approved May 4, 1888, be, and the same is hereby, amended by inserting after the word "September," in the twenty-second line of section 6, General Statutes, edition of 1888, the following words: "Said statement shall also be signed and sworn to by the county attorney and county judge, and in their affidavits they shall state that they have examined the recorded and unrecorded conveyances filed for said twelve months preceding September the 15th last past, and each and every such conveyance (except those based on love and affection), with the consideration therefor correctly stated, is shown in said statement, and that the assessed values are correctly given in said statement. Said board shall have the authority to obtain and use any other evidence as to values, and whether or not the property conveyed has been assessed at a greater per centum of its actual value than in cases where property has not been conveyed."

§ 2. That the figures "690," in the second line of section 7, be stricken out, and the figures "70" inserted in lieu thereof.

§ 3. That section 8 of said act be, and the same is hereby,

repealed, and in lieu thereof the following, to be known hereafter as section 8, is hereby enacted, to-wit: "The said Board of Equalization shall also equalize the personal property of every county in this Commonwealth by adding to or subtracting from the list of personal property, as the case may be, the same per centum as was added to or subtracted from the list of farm lands for the same county, and for this purpose the average per centum of assessed value to cash value of farm lands shall be used, and in determining such per centum fractions less than one-half shall be rejected and fractions of one-half and over shall be counted as over."

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Smith, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. W. McCain,
W. F. Berry,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	A. L. Peterman,
R. J. Breckinridge,	R. G. Hays,	Chas. B. Poyntz,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	D. L. May,	D. W. Wright—23.
Sam E. English,	James H. Mulligan,	

Those who voted in the negative, were—

F. W. Darby,	J. J. Paul,	A. H. Stewart—3.
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Resolved, That the title of said bill be as aforesaid.

Mr. Worham, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the city of Hardinsburg, in Breckinridge county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act incorporating the People's Homestead and Savings Association ;"

An act to amend and reduce into one the road laws of Greenup county ;

An act to amend the charter of the city of Louisville ;

An act incorporating the Irvine Street Railway Company ;

An act to prevent and punish trespass upon real estate in certain counties in this Commonwealth ;

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of two miles of the Smithsonville school-house, Harrison county ;

An act to incorporate the Rowena Lodge, No. 41, Knights of Pythias, in the town of Harrodsburg, Mercer county, Kentucky ;

An act for the benefit of Greenup county ;

An act to amend an act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county, approved February 6, 1873 ;

An act to incorporate St. Xaviers College, of Louisville, Kentucky ;

An act to authorize the Oldham County Court to borrow money to pay for the erection of a jail and jailer's residence for said county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to punish trespassing upon the inclosures of citizens of Hopkins and Christian counties ;

An act to incorporate the Citizens' Electric Light, Power and Gas Light Company, of Louisa, Kentucky ;

An act to increase the jurisdiction of the quarterly court of Pike county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signa-

ture thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to authorize the Mt. Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville Southwestern Railroad Company ;

Which was granted.

Whereupon the Speaker appointed Mr. May said committee on the part of the Senate.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate Oil City, in Barren county ;

Which was granted.

Whereupon the Speaker appointed Mr. Peterman said committee on the part of the Senate.

After a short time, Mr. Peterman, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Peterman moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Lindsay moved to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act to incorporate the Louisville, Mt. Sterling and Norfolk Railroad Company.

Which motion was simply entered.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to provide for a registration of voters in the city of Covington.

Which was granted, and said bill was delivered to the messenger.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Bradley—

1. A bill, entitled “An act to amend subsection 3 of section 3, chapter 110 of the General Statutes.”

On motion of Mr. Wortham—

2. A bill, entitled “An act to amend the charter of the American Gas and Mineral Company.”

On motion of same—

3. A bill, entitled “An act to incorporate the Falls of Rough Banking Company.”

On motion of Mr. Terry—

4. A bill to amend an act, entitled “An act to establish a new charter for the town of Elkton, Todd county,” approved April 21, 1884.

On motion of Mr. Smith—

5. A bill to authorize and empower the trustees of common school district No. 18, in Larue county, to levy a per capita and ad valorem tax for certain purposes.

On motion of Mr. Wortham—

6. A bill to amend section 7 of chapter 112 of the General Statutes, entitled “Weights and Measures.”

On motion of Mr. McCann—

7. A bill to incorporate the Harness-makers' Benevolent and Protective Union, of Louisville..

Ordered, That the Committee on General Statutes prepare and bring in the 1st, 2d and 4th ; the Committee on Banks and Insurance the 3d ; the Committee on Agriculture and Manufactures the 5th and 6th, and the Committee on Courts of Justice the 7th.

Mr. Dickerson, from the Committee on Revenue and Taxa-

tion, to whom was recommitted a bill, which originated in the Senate, entitled

An act to prescribe the mode of ascertaining the value of property of companies owning bridges crossing the Ohio river into or from this State for taxation and taxing the same,

Reported the same with an amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the president or chief officer of each bridge company or other corporation owning a bridge which crosses the Ohio river into or from this State shall, on or before the first of October in each year, return to the Auditor of Public Accounts of the State, under oath, the total length of such bridge, designating its length within the limits of each county, city, incorporated town and tax district of any kind, together with the value thereof, including such railroad track, engines, cars, depot grounds and improvements, and other real estate of the said company as may be owned, held or used in connection with the operations and business of such bridge company. Said report shall be made as of the first of July, and the failure to file said report by the first of October, shall subject the president or chief officer residing in this State, to a fine of one thousand dollars, and fifty dollars for every day after the first day of October that he fails to file said report, recoverable by indictment in the Franklin Circuit Court.

§ 2. Should any such bridge be in the hands or under the control of a receiver, or other person, by order or decree of a court in this or any other State, it shall be the duty of such receiver or other person, to make, under his oath, the returns and valuation required by the first section of this act; and should said president or chief officer of any such bridge company or receiver fail to make said returns and valuations on or before the first of October in each year, the said Auditor shall proceed to ascertain the facts and valuation required by this act, to be returned, in such manner and by such means as he may deem best, and at the cost of the company failing to make the returns and values.

§ 3. The Auditor shall, annually, on or before the tenth of October, lay before the Board of Railroad Commissioners of this State, the returns made to him under this act, and any schedules or valuations he may have made under this act. And should the valuations, or any of them, in the judgment of said board, be either too high or too low, they shall correct and equalize the same by a proper increase or decrease thereof. And the said board is hereby authorized to examine the books and property of any such bridge company to ascertain the value of its property.

§ 4. The same rate of taxation for State purposes, which is or

may be levied in any year on other real estate, shall be, and is hereby, levied upon the value so found by the said board of the bridge, its equipment and the real estate and other property of each company, and the same rate of taxation for the purposes of each county, part of a county, city, town or tax district of any kind, in which such bridge or any part thereof, or other property is located, which is, or may be, in any year levied on, other real estate therein shall be, and is hereby, levied on the value of such bridge and its property, as ascertained as aforesaid. And immediately after the said board shall have completed its valuations each year, the Auditor of Public Accounts shall notify the clerk of each county court of the amount so assessed for taxation in his county, and the municipal and other tax districts therein, and each bridge company, of the amount of its assessment for taxation for State purposes, and for purposes of such county, part of a county, city, town and tax district. All existing laws in this State, authorizing the assessment and taxation of the property of such bridge companies by counties, cities, incorporated towns, or tax districts, are hereby repealed.

§ 5. All taxes levied under the provisions of this act shall be paid on or before the first day of December in each year, and for a failure to pay the same, the president or chief officer of such bridge company shall be subject to a fine of fifty dollars for every day that elapses without the payment of the taxes. After the tenth day of December the said fine may be recovered by indictment or civil action in the Franklin Circuit Court, and the taxes due the State may be recovered by action in the Franklin Circuit Court, and taxes due counties, cities, towns or tax districts in the courts of common law jurisdiction in such counties respectively.

§ 6. Every such bridge company shall, on or before the first day of October in each year, make and transmit to the Board of Railroad Commissioners, at their office in Frankfort, under oath of the proper officers of the corporation, a full and true statement of the affairs of the corporation as the same existed on the first day of the preceding July, specifying:

1. The amount of capital stock paid up.
2. The amount of its assets and liabilities.
3. The amount of funded and of floating debt.
4. The estimated value of the bridge and its franchises; of cars, engines or other equipment.
5. The estimated value of buildings, stations and real estate.
6. The number of tons of freight, through and local, and number of passengers transported over such bridge.
7. The monthly earnings and income from all sources.
8. All expenses incurred in the operations of such bridge.
9. The rate of fare per passenger, and charges per ton or car load on such bridge.
10. The stocks, bonds or other securities, cash on hand and accumulated or surplus fund.

§ 7. And the said commissioners may propound any additional interrogatories, which shall be answered by the said companies in the same manner as those specified in the foregoing section.

§ 8. Every such corporation, and every officer or agent that shall willfully neglect or refuse to make the report required by this act to be made to the Board of Railroad Commissioners, shall be fined fifty dollars, to be recovered upon indictment, or by an action in the name of the Commonwealth, to be instituted by said commissioners.

§ 9. This act shall take effect and be in force from and after its passage.

The amendment proposed by the committee reads as follows, viz :

Amend by striking out all of section 4 after the word "district" in the 17th line.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Lindsay proposed the following amendment to said bill, viz :

Amend section 4 by adding the words: "*Provided*, This act shall not be construed to authorize or entitle any city or town to enforce the collection of taxes levied upon the value of that portion of any bridge situated and being north of low water mark on the southern or Kentucky shore of the said Ohio river."

Mr. Goebel proposed the following amendment to said bill, viz :

Amend section 4 by adding at the end thereof: "Nor shall anything in this act contained prevent counties, cities, towns and tax districts of this Commonwealth from taxing such bridges beyond and north of low water mark on the southern or Kentucky shore of the Ohio river."

Mr. Lindsay moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Lindsay to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	John McCann,
Reuben Conner,	William Lindsay,	D. H. Smith,
F. W. Darby,	D. L. May,	D. W. Wright—11.
G. W. Gates,	J. W. McCain,	

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
W. F. Berry,	John R. Kemp,	J. M. Pieratt,
W. W. Dickerson,	J. H. Lunsford,	Chas. B. Poyntz,
T. L. Glenn,	James H. Mulligan,	J. S. Wortham—12.

The question was then taken on the adoption of the amendment proposed by Mr. Goebel to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Lindsey, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Lindsay,	J. J. Paul,
W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	J. S. Wortham,
John R. Kemp,	John P. Newman,	D. W. Wright—21.

In the negative—none.

Mr. Smith moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, May 7th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Glenn moved that when the Senate adjourn it be to meet at 3 o'clock on this day.

Mr. Dickerson moved that the session of the Senate be extended until the bill under consideration was disposed of.

Mr. Smith moved that when the Senate adjourn it be to meet on to-morrow at 4 o'clock P. M.

And the question being taken on the motion made by Mr. Smith, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	R. G. Hays,	D. H. Smith,
W. W. Dickerson,	John P. Newman,	D. W. Wright—10.
T. L. Glenn,		

Those who voted in the negative, were—

Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
F. W. Darby,	D. L. May,	G. Terry,
G. W. Gates,	James H. Mulligan,	J. S. Wortham—17.
John R. Kemp,	John McCann,	

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	D. L. May,	D. H. Smith,
R. G. Hays,	J. J. Paul,	D. W. Wright—6.

Those who voted in the negative, were.

F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	James H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—14.
William Goebel,	John P. Newman,	

Mr. Smith moved that when the Senate adjourn, it be to meet on to-morrow, at 1:15 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
W. F. Berry,	William Lindsay,	John P. Newman,
F. W. Darby,	D. L. May,	J. S. Wortham—10.
W. W. Dickerson,		

Those who voted in the negative, were—

Ben F. Bradley,	J. W. Martin,	Chas. B. Poyntz,
R. J. Breckinridge,	James H. Mulligan,	B. F. Reynolds,
Sam E. English,	J. W. McCain,	D. H. Smith,
T. L. Glenn,	J. J. Paul,	G. Terry,
Wm. Goebel,	J. M. Pieratt,	D. W. Wright—16.
J. H. Lunsford,		

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	D. L. May,	B. F. Reynolds,
R. J. Breckinridge,	J. J. Paul,	D. H. Smith,
Sam E. English,	A. L. Peterman,	D. W. Wright—10.
William Lindsay,		

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	John McCann,
W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	Charles B. Poyntz,
W. W. Dickerson,	Jas. H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—15.

Mr. Smith moved to reconsider the vote by which the Senate refused to adopt the motion made by him, that when the Senate adjourn, it be to meet on to-morrow, at 1:15 o'clock P. M.

Mr. Darby moved that when the Senate adjourn, it be to meet on to-morrow, at 10 o'clock A. M.

Mr. Smith moved that when the Senate adjourn it be to meet on to-morrow at 10:15 A. M.

Mr. Glenn moved that when the Senate adjourn it be to meet on to-morrow at 10:40 o'clock A. M.

Mr. May moved that when the Senate adjourn it be to meet on Monday next at 11 o'clock A. M.

And the question being taken on the adoption of the motion made by Mr. May, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. McCain,	J. M. Pieratt,
W. W. Dickerson,	John McCann,	Chas. B. Poyntz,
T. L. Glenn,	J. J. Paul,	J. S. Wortham—10.
William Goebel,		

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	Jas. H. Mulligan,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
F. W. Darby,	J. W. Martin,	G. Terry—17.
Sam E. English,	D. L. May,	

Mr. Breckinridge moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Lindsay,	J. J. Paul,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
Reuben Conner,	John McCann,	D. H. Smith—10.
Sam E. English,		

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	J. W. McCain,
W. F. Berry,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	J. H. Lunsford,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	G. Terry,
G. W. Gates,	James H. Mulligan,	J. S. Wortham—16.
T. L. Glenn,		

Mr. Dickerson moved that when the Senate adjourn, it be to meet at 3 o'clock P. M. on this day.

Mr. Smith moved that when the Senate adjourn, it be to meet at 6 o'clock P. M. on this day.

Mr. Smith moved to reconsider the vote by which the Senate refused to adopt the motion made by Mr. May, that when the Senate adjourn it be to meet on Monday next, April 28th, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson, F. W. Darby, R. G. Hays—3.

Those who voted in the negative, were—

W. F. Berry,	William Goebel,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	B. F. Reynolds,
Reuben Conner,	D. L. May,	D. H. Smith,
G. W. Gates,	Jas. H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—18.

The question was then taken on the adoption of the motion made by Mr. Glenn, that when the Senate adjourn, it be to meet on to-morrow, at 10:40 o'clock A. M., and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson, F. W. Darby—2.

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,

W. W. Dickerson,	D. L. May,	D. H. Smith,
G. W. Gates,	Jas. H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—23.
William Goebel,	John McCann,	

Mr. Dickerson moved to reconsider the vote by which the Senate had refused to adopt the motion made by Mr. Glenn that when the Senate adjourn it be to meet on to-morrow at 10:40 o'clock A. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	W. W. Dickerson,	D. H. Smith—4.
R. J. Breckinridge,		

Those who voted in the negative, were—

W. F. Berry,	Jas. H. Mulligan,	Chas. B. Poyntz,
Ben F. Bradley,	John McCann,	B. F. Reynolds,
Reuben Conner,	J. M. Pieratt,	G. Terry—10.
John R. Kemp,		

Pending the further consideration of said bill, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

SATURDAY, APRIL 26, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the town of Russellville, Kentucky.

An act to amend an act, entitled "An act for the building and maintaining of bridges on county roads in the county of Campbell."

An act to re-charter the town of Mt. Vernon, in Rockcastle county.

An act to incorporate the Green River Trust Company.

An act declaring North Panther creek, in Daveiss county, a navigable stream.

An act to regulate municipal elections in the city of Paducah.

An act to incorporate the Cupio and River View Turnpike Road Company.

An act to amend an act, entitled "An act to amend the charter of the Owensboro Safety Vault and Trust Company," approved March 26, 1890.

An act to incorporate the Mutual Savings Bank of Hickman, Kentucky.

An act to incorporate the Shepherdsville and Pitt's Point Turnpike Road Company.

An act to incorporate the Harris-Seller Banking Company, of Versailles.

An act to incorporate the St. Helens Security Bank, of St. Helens.

An act to amend the charter of the town of Central Covington, Kentucky.

An act to empower the county levy court of Pulaski county to provide for the immediate payment of claims against the county.

An act to repeal an act, entitled "An act to prescribe and

define the jurisdiction of the Marion Circuit Court at its June term of each year."

An act changing the time of holding the county and quarterly courts in Owsley county.

An act to amend chapter 27, article 2, section 1, General Statutes, entitled "County Levy."

An act authorizing the establishment of a graded free school in district No. 16, Fulton county, Kentucky.

An act to incorporate the Bracken County Bank, at Brooksville.


An act to amend section 36 of chapter 2 of title 3 of the Code of Practice in criminal cases.

An act to amend the charter of the town of West Covington.

An act to establish a system of public graded schools in the city of Pineville.

An act to incorporate the Sebree Deposit Bank, of Sebree, Kentucky.

An act to authorize and empower the board of county commissioners of Greenup county to formulate a plan, issuing bonds and levying an ad valorem and poll-tax for the purpose of building turnpikes or gravel roads in said county.

 An act to incorporate the Georgetown Safety Vault and Trust Company.

An act to incorporate the Merchants' Bank of Paintsville.

An act to incorporate the Farmers' and Laborers' Bank of Henderson.

An act to amend an act to establish a board of commissioners for Greenup county, and to define their duties and the duties of other officers whose duties are connected with those of said commissioners.

An act to authorize the common council of the city of Owensboro to issue bonds for the purpose of building a city hospital.

An act to regulate the civil jurisdiction of justices of the peace in Montgomery county.

An act to establish a public graded school at the mouth of Beaver, in Floyd county.

An act for the benefit of the University Club of Louisville.

An act to amend the charter of the town of Slaughtersville, Webster county.

An act to empower the city of Vanceburg to condemn land to widen certain streets and alleys in said city, and to issue its bonds and levy a tax to pay for such improvement.

An act to amend an act incorporating the town of Pleasureville, in Henry county.

An act to levy a tax to pay the floating debt of the city of Owensboro.

An act to incorporate the Commercial Bank of Middlesborough, Kentucky.

An act authorizing the levying and collecting of an ad valorem, special and poll tax for the benefit of the public roads in Fulton county.

An act to empower Daveiss county to dispose of its pauper grave yard and to acquire other land for such use.

An act authorizing the transfer of a balance of railroad fund to the general fund of the city of Owensboro.

An act to amend the charter of the city of Owensboro so as to empower said city to recover taxes by suit.

An act to incorporate the town of Willard, in Carter county.

An act to authorize the county court of Cumberland county to levy an ad valorem and capitation tax for county purposes.

An act to charter the Jamestown Loan and Deposit Bank.

An act to amend an act, entitled "An act to incorporate Carr Institute, in Fulton county," approved March 9, 1882.

An act in relation to roads and bridges in Daveiss county.

An act to incorporate the Lexington and Richmond Railway Company ;

An act to amend an act, entitled "An act for the benefit of common school districts Nos. 14, 18 and 23, in Fulton county."

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend and reduce into one the several acts in relation to the city of Lawrenceburg, in Anderson county.

An act to incorporate the Bank of Garfield, at Prestonsburg, in Floyd county.

An act to amend section 710, Civil Code of Practice.

An act to prevent the sale of spirituous, vinous or malt liquors.

within a radius of one mile of Catawba Baptist Church, in Pendleton county.

That they had concurred in the adoption of a resolution and passed a bill, which originated in the Senate, of the following titles, viz :

Resolution providing for the appointment of a committee to investigate the drainage of the lunatic asylum at Anchorage ;

An act for the benefit of the city of Louisville.

That they had adopted a joint resolution and passed bills of the following titles, viz :

1. Resolution for the benefit of George H. Hocker, of Boyle county.

2. An act to attach the county of Jackson to the common pleas court composed of Harlan, Perry, Leslie, Laurel, Whitley, Knox and Bell.

3. An act to amend an act, entitled "An act to amend an act, entitled 'An act to regulate the sale of spirituous, vinous and malt liquors in Woodford county,' " which became a law April 21, 1888, and the act amendatory thereof, approved April 27, 1888, which last act was approved April 3, 1890.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bills being dispensed with,

They were referred—the 1st, the resolution, to the Committee on Claims ; the 2d to the Committee on Courts of Justice, and the 3d to the Committee on Rules.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That section 3 of an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock, and all other except life insurance companies," approved March 12, 1870, be amended by adding thereto the following: "That mutual fire insurance companies organized under this act or incorporated by any special law or charter of this State, or doing business in this State under the general law thereof, may thereafter charge and collect in advance upon their policies a full annual premium in cash, but such policies shall not compel subscribers insured or assured to renew any policy nor pay a second premium. Any such company must, in its by-laws and must in its policies, fix by a uniform rule the contingent mutual liability of its members for the payment of losses and expenses, and such contingent liabilities shall not be less than three nor more than five annual cash premiums as written in the policy; but such liability shall cease with the expiration of the time for which a cash premium has been paid in advance, except for liability incurred during that time.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to fix the liability of insurance companies at the amounts written in their policies,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Bradley—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for Wednesday, April 30, 1890, at 11 o'clock, and from day to day until disposed of.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to provide relief for disabled firemen of this State,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Hays—

Ordered, That said bill be printed and recommitted to the Committee on Banks and Insurance.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to regulate the employment of guards to carry prisoners from one county to another in this Commonwealth ;

An act for the benefit of the board of internal improvements for Lincoln county ;

An act to relieve E. H. Coombs of the disabilities of an infant ;

An act to incorporate the Colored Cemetery Company of Nicholasville, Kentucky ;

An act imposing a tax on dogs in Fayette county, and providing for its collection and appropriation for the payment of sheep killed in said county by dogs ;

An act to amend an act, entitled “An act to authorize the Lincoln County Court to take stock in certain turnpike road companies ;”

An act to create a board of commissioners for Letcher county, to prescribe their powers and duties, and to authorize them to issue bonds for certain purposes ;

An act for the benefit of Ulyses S. Grant Teater, a minor of Garrard county, Kentucky ;

An act to incorporate the town of Shiloh, in Calloway county ;

An act to declare Beaver creek, in Floyd county, navigable for push-boats, and to provide for the improvement of the same, and the removal of mill-dams across said streams, and for compensation to the owners of same ;

An act for the benefit of Edward W. Wilson, of Bourbon county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Paducah, Cairo and Southwestern Railroad Company," approved February 24, 1888 :

An act to incorporate the Somerset and Eastern Kentucky Railroad Company ;

An act to incorporate the Leitchfield, Big Spring and Northern Railroad Company ;

An act to amend an act, entitled "An act to incorporate the now-existing Louisville Gas Company, and grant it a new charter," approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity ;

An act to amend the charter of the Louisville Gas Company ;
And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Reynolds, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Kentucky Institute for Deaf Mutes.

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the sum of \$1,996.25 be, and the same is hereby, appropriated out of any money in the State Treasury not otherwise appropriated, for the benefit of the Kentucky Institute for Deaf Mutes, to be expended by the board of commissioners of said institute for the following purposes, viz: 1. To pay balance due on building recently erected for the mechanical department of said institute, known as the shop building, \$300.39. 2. To pay balance due on building recently erected

for laundry purposes and removal of machinery, and so forth, \$326.10. 3. To pay balance due on corridors connecting the main buildings of said institution, \$130.55. 4. To pay balance expended on general repairs, plumbing, etc, in girls' department, \$315.20. 5. To pay balance expended on school building and amount necessary to complete the same, \$934.01.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	W. W. Dickerson,	D. L. May,
W. F. Berry,	G. W. Gates,	J. W. McCain,
Ben F. Bradley,	T. L. Glenn,	John McCann,
R. J. Breckinridge,	William Goebel,	A. L. Peterman,
B. F. Cockrell,	R. G. Hays,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	D. W. Wright—21.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Lindsay, from the Committee on Rules, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to repeal the charter and re-incorporate the town of Hodgenville, in Larue county," approved March 17, 1870,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to organize and establish a system of public graded schools in Carlisle,"

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Cannon Creek Mining and Lumber Company,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky Fire Insurance Company,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate took up for consideration the unfinished report of the Committee on Revenue and Taxation, being a bill, which originated in the Senate, entitled

An act to prescribe the mode of ascertaining the value of property of companies owning bridges crossing the Ohio river into or from this State for taxation and taxing the same.

(For bill, see Senate Journal of yesterday.)

Ordered, That said bill be engrossed, and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	G. Terry—19.
T. L. Glenn,		

Those who voted in the negative, were—

R. J. Breckinridge,	Reuben Conner,	D. L. May,
B. F. Cockrell,	William Lindsay,	D. H. Smith—6.

Resolved, That the title of said bill be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution asking an appropriation from Congress for the improvement of Licking river,

Reported the same, without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Paris Electric Light Company, in Bourbon county," approved May 9, 1884,

Together with the message of the Governor vetoing the same,

Reported the same, with the expression of opinion that said bill ought to pass, the objections of the Governor to the contrary notwithstanding.

On motion of Mr. Cockrell—

Ordered, That the further consideration of said bill and veto

message be postponed, and that they be made the special order of the day for Wednesday, April 30th, 1890, at 12 o'clock M., and from day to day until disposed of.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

An act to amend section 7 of chapter 112 of the General Statutes, entitled "Weights and Measures,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 7 of chapter 112 of the General Statutes, is amended by striking from the fifth line thereof the word "seventy," and by inserting in lieu thereof the words "sixty-eight."

§ 2. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

Mr. Newman moved that when the Senate adjourns for the day it be to meet on Tuesday, April 29, 1890, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Terry and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	William Goebel,	John McCann,
R. J. Breckinridge,	William Lindsay,	John P. Newman,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English.	J. W. McCain,	D. W. Wright—12.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. M. Pieratt,
W. F. Berry,	J. P. Huff,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	A. H. Stewart,
F. W. Darby,	J. J. Paul,	G. Terry—17.
G. W. Gates,	A. L. Peterman,	

Mr. Reynolds read and laid on the table the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor of this Commonwealth be, and he is hereby, authorized and empowered, at his discretion, to have published yearly not exceeding ten thousand copies of the annual report of the Kentucky Agricultural Experiment Station.

Which resolution, under the rules, lies one day on the table.

Leave was granted to bring in the following bills:

On motion of Mr. McCann—

1. A bill to amend section 2, article 3, chapter 28 of the General States, fixing the jurisdiction of quarterly courts.

On motion of Mr. Kemp—

2. A bill to incorporate the Clay City State Bank and Trust Company.

On motion of Mr. Glenn—

3. A bill to regulate and provide for pay of troops demanded by county and district courts, to guard said courts and suppress lawlessness in any county or counties of this Commonwealth.

On motion of Mr. Martin—

4. A bill to amend section 17, article 1, chapter 39 of General Statutes.

On motion of Mr. McCann—

5. A bill to incorporate the Central City Lighting and Power Company of Central City, Muhlenberg county, Kentucky.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 4th; the Committee on Banks and Insurance the 2d and 5th, and the Committee on Military Affairs the 3d.

Bills, which originated in the House of Representatives, of the

following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Terry, from the Committee on Public Health—

An act extending the provisions of the State pharmacy laws to Larue county.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of John G. Reynolds, of Green county, Kentucky.

By same—

An act to incorporate an institution of learning at the town of Monroe, Hart county, under the name and style of Monroe Institute in Hart county.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to empower the county commissioners of Kenton county to make subscription to the capital stock of turnpike roads in said county.

By Mr. Lindsay, from the Committee on Rules—

An act for the benefit of Walter F. Park and wife, of Estill county.

By same—

An act to amend, revise and reduce into one all of the several acts concerning the town of Madisonville, and to re-incorporate said town.

By same—

An act to amend an act to amend and reduce into one the acts in relation to the town of Harrodsburg, approved April 1, 1882.

By same—

An act to amend an act, entitled "An act to amend an act, entitled 'An act to regulate the sale of spirituous, vinous and malt liquors in Woodford county, which became a law April 21, 1888, and the act amendatory thereof,'" approved April 27, 1888, which act was approved ——— 3, 1890.

By same—

An act to incorporate the Three Forks Belt Line Railroad Company.

By same—

An act to further amend the charter of the city of Covington

in respect to supplying water for the citizens of said city and others.

By same—

An act providing for commissioners for that part of the Covington and Lexington Turnpike Road, lying south of Walton and in Kenton county.

By same—

An act to amend an act, entitled “An act to repeal the charter of the city of Henderson and the acts amendatory thereto, and to reincorporate the said city of Henderson,” approved April 9, 1888.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kirksville Fair Ground Company.

By same—

An act to incorporate the Winchester Tobacco Company.

By same—

An act to amend an act to amend and reduce into one the several acts relating to the charter and amendments thereto of the town of Winchester, and to authorize the board of councilmen of said town to contract for a water supply for said town.

By same—

An act concerning the Madison Academy in Richmond, Kentucky.

By same—

An act to amend chapter 691, approved April 11, 1890, entitled “An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county, approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds, levy and collect taxes to pay same,” approved April 1, 1882.

By same—

An act to incorporate the Mount Sterling Water Works Company.

By same—

An act to incorporate the Cane Ridge and Rogers Creek Turnpike Company, in Bourbon county.

By same—

An act to allow the citizens of this Commonwealth to meet

organize, hold lodge meetings or religious service in the district school-houses of this State.

By same—

An act to incorporate the Sacramento Fair Association.

By same—

An act concerning the Bourbon County Agricultural Association.

By same—

An act to procure the turnpikes of Harrison county and make them free to the public.

By same—

An act to authorize the sale of Mill Grove and Kirksville Turnpike Road, in Madison county, and its franchises and privileges.

By same—

An act to incorporate the North Side Land Company.

By same—

An act to amend an act, entitled "An act to incorporate the city of Paris," which became a law March 28, 1890.

By same—

An act to amend the charter of the town of Quincy, in Lewis county.

By same—

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876.

By same—

An act to prevent stock from running at large on the Mt. Sterling and Maysville Turnpike Road, in Montgomery county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the People's Trust and Safety Vault Company of Jessamine county.

By same—

An act to incorporate the Citizens' Bank of Meade county.

By same—

An act to incorporate the Mutual Savings Bank of Louisville, Kentucky.

By same—

An act to amend an act, entitled "An act incorporating the German Savings and Homestead Fund Company."

By same—

An act to amend an act, entitled "An act to incorporate the Anchor Mutual Benefit Association of Kentucky," approved February 26, 1885.

By same—

An act to incorporate the Fidelity Trust Company of Paducah, Kentucky.

By same—

An act to incorporate the Mechanics' Bank and Trust Company of Mt. Vincent, Kentucky.

By same—

An act to incorporate the Fordsville Banking Company.

By same—

An act to incorporate the Deposit Bank of Stanton, at Stanton, Powell county.

By same—

An act to incorporate the Big Sandy Bank of Catlettsburg, Kentucky, in Boyd county.

By same—

An act to incorporate the Citizens' Home and Loan Association of Lexington, Kentucky.

By same—

An act to incorporate the Kentucky Capitalization Company.

By same—

An act to incorporate the Cloverport Bank and Trust Company.

By same—

An act to incorporate the Nelson County Trust Company.

By same—

An act to incorporate the Garfield Building and Loan Association.

By same—

An act to incorporate the Jessamine Safety Vault and Trust Company.

By same—

An act to incorporate the Yellow Creek Investment Company.

By same—

An act to incorporate the Henderson Savings Bank of Henderson.

By same—

An act to incorporate the Pineville Bank, Loan and Trust Company.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to authorize and empower the trustees of Common School District No. 18, in Larue county, to levy a per capita and ad valorem tax for certain purposes.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to re-enact, adopt and amend an act, entitled "An act to incorporate the Union County Bank," approved March 10, 1870.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to authorize the building of turnpike roads in Kenton county, and to provide for the payment of the same.

By same—

An act to amend an act, entitled "An act to regulate bridges spanning the Ohio river from points within the county of Kenton and tolls on the same," approved April —, 1890.

By Mr. Lindsay, from the Committee on Rules—

An act for the benefit of Hezekiah Ellis.

By same—

An act to further amend and regulate the municipal affairs of the town of Shelbyville.

By same—

An act to amend the charter of the Louisville Water Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to provide for the issual of county bonds for the erection of a new court-house in Montgomery county.

By same—

An act to authorize the county court of Montgomery county to subscribe for stock in turnpike roads in said county, and to provide means for the payment thereof.

By same—

An act to incorporate the North Kentucky Agricultural and Breeders' Association near Walton, in Boone county.

By same—

An act to incorporate the Silver Creek Turnpike Road Company, in Madison county.

By same—

An act to amend the charter of the town of Ford.

By same—

An act to authorize Warren county to purchase and make free turnpike roads therein, and to that end to issue the bonds of said county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Central City Lighting and Power Company of Central City, Muhlenburg county, Kentucky.

By same—

An act to amend an act to amend the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

By same—

An act to incorporate the Harness-makers Benevolent and Protective Union of Louisville, Kentucky.

By same—

An act to incorporate the Clay City Bank and Trust Company.

By Mr. Lunsford, from the same committee—

An act to incorporate the American German Bank, at Paducah.

By Mr. Hays, from the same committee—

An act to amend an act to incorporate the Peoples Bank of Owensboro.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wright proposed the following resolution, viz :

Resolved, That the Speaker of the Senate appoint a committee of not less than three Senators, whose duty it shall be to ascertain and report to the Senate on or before next Wednesday the amount of cash now in the Treasury and the estimates of increase up to July 1st, 1890 ; also the probable amount of receipts from taxes upon all other sources for the two years after July 1st, 1890 ; the probable amount of expenditures for said time, and the amount of present appropriations.

Mr. Darby proposed the following amendment as a substitute for said resolution, viz :

Resolved, That the Auditor be requested to report to the Senate at as early day as possible what the receipts and expenditures have been during present fiscal year to this day and an estimate as to remainder of year.

Mr. Newman proposed the following amendment as a substitute for said resolution, viz :

Resolved, That a committee of five be appointed by the Senate to investigate and report on the condition of the Auditor's and Treasurer's offices, and that they shall have power to appoint an expert, and other assistants necessary for said investigation ; that they shall report at the next meeting of the next General Assembly ; that they shall not be governed by any time in said investigation, but shall go back as far as they shall deem necessary and proper.

Mr. Glenn proposed to amend the substitute offered by Mr. Darby to said resolution as follows, viz :

Amend by adding thereto the following words, viz : "The Auditor will also furnish statement of appropriations to date."

Mr. Newman moved to lay said resolution and proposed amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Hays, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby,	J. P. Huff,	John McCann,
W. W. Dickerson,	William Lindsay,	John P. Newman,
Sam E. English,	J. H. Lunsford,	B. F. Reynolds,
T. L. Glenn,	D. L. May,	J. H. Shearer,
William Goebel,	J. W. McCain,	A. H. Stewart—16.
R. G. Hays,		

Those who voted in the negative, were—

W. H. Anderson,	Reuben Conner,	A. L. Peterman,
W. F. Berry,	G. W. Gates,	D. H. Smith,
Ben F. Bradley,	John R. Kemp,	G. Terry,
R. J. Breckinridge,	J. W. Martin,	D. W. Wright—14.
B. F. Cockrell,	J. J. Paul,	

So said resolution was rejected.

Mr. May asked the appointment of a committee on the part of the Senate to request the withdrawal from the House of Representatives of the announcement of the disagreement by the Senate of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

Which was granted.

Whereupon the Speaker appointed Mr. May such committee on the part of the Senate.

After a short time, Mr. May, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. May moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

The Committee on Courts of Justice, to whom was committed a bill, which originated in the Senate, entitled

An act requiring conductors to be placed on street cars in this Commonwealth,

Reported the same, without amendment.

(For bill, see Journal April 23.)

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Hays, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	W. W. Dickerson,	John R. Kemp—5.
F. W. Darby,	William Goebel,	

Those who voted in the negative, were.

W. H. Anderson,	R. G. Hays,	John P. Newman,
W. F. Berry,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
Sam E. English,	J. W. Martin,	D. H. Smith,
G. W. Gates,	D. L. May,	A. H. Stewart—20.
T. L. Glenn,	John McCann,	

So said bill was rejected.

Mr. McCann moved to reconsider the vote by which the Senate had rejected said bill.

Mr. McCann moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. J. Paul,
W. F. Berry,	J. P. Huff,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	John McCann,	A. H. Stewart—20.
T. L. Glenn,	John P. Newman,	

Those who voted in the negative, were—

R. J. Breckinridge,	John R. Kemp,	J. H. Shearer,
W. W. Dickerson,	William Lindsay,	G. Terry—7.
William Goebel,		

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was recommitted a bill, which originated in the Senate, entitled

An act to incorporate the Kentucky Pipe Line Company,
Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goebel moved that when the Senate adjourn, it be to meet on Wednesday next, April 30th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Newman, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	William Goebel,	D. H. Smith,
W. W. Dickerson,	John P. Newman,	D. W. Wright—6.

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
W. F. Berry,	R. G. Hays,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	A. H. Stewart,
F. W. Darby,	D. L. May,	G. Terry—19.
G. W. Gates,		

Mr. Goebel moved that when the Senate adjourn, it be to meet on Tuesday next, April 29th, at 2:30 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Berry, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
Ben F. Bradley,	William Goebel,	John McCann,

R. J. Breckinridge,	R. G. Hays,	John P. Newman,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
Sam E. English,	D. L. May,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	Ben F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	A. H. Stewart,
F. W. Darby,	J. J. Paul,	G. Terry—14.
G. W. Gates,	J. M. Pieratt,	

Mr. May moved to reconsider the vote by which the Senate had adopted the motion made by Mr. Goebel that when the Senate adjourn, it be to meet on Tuesday next, April 29th, at 2:30 o'clock P. M.

Mr. May moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

And the yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	D. L. May,	D. W. Wright—17.
Sam E. English,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	J. H. Shearer,
F. W. Darby,	J. J. Paul,	A. H. Stewart,
G. W. Gates,	A. L. Peterman,	G. Terry—13.
J. P. Huff,		

Mr. Breckinridge moved that the session of the Senate be extended thirty minutes.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	A. L. Peterman,
Ben F. Bradley,	T. L. Glenn,	J. M. Pieratt,

R. J. Breckinridge,	William Goebel,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	D. H. Smith,
F. W. Darby,	D. L. May,	G. Terry,
W. W. Dickerson,	J. W. McCain,	D. W. Wright—20.
Sam E. English,	John P. Newman,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
B. F. Cockrell,	John McCann,	A. H. Stewart—8.
J. P. Huff,	J. J. Paul,	

Mr. Peterman moved to reconsider the vote by which the Senate adopted the motion made by Mr. Breckinridge, that the session of the Senate be extended thirty minutes.

Mr. Peterman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
Ben F. Bradley,	T. L. Glenn,	A. L. Peterman,
R. J. Breckinridge,	Wm. Goebel,	J. M. Pieratt,
B. F. Cockrell,	J. P. Huff,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	G. Terry—18.

Those who voted in the negative, were—

W. F. Berry,	R. G. Hays,	J. H. Shearer,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart—6.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to promote the study of medicine and surgery in the Commonwealth of Kentucky,

Reported the same without amendment.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be lawful for the professors of any legally chartered medical college in the State of Kentucky,

or any legally qualified physician practicing in the State of Kentucky, to take the dead body or bodies of any unclaimed and abandoned convict prisoner dying within the penitentiaries of the State of Kentucky, and that said professors and physicians may dissect and examine said body or bodies for the advancement of science: *Provided*, That after said body or bodies have been examined and dissected, the remains shall be duly buried at the expense of said professors or physicians.

§ 2. That said body or bodies shall be embalmed and preserved, and shall be kept for thirty days before being dissected.

§ 3. That said professors and physicians shall keep in a suitable book a record of the names, age, sex, cause of death and place of final interment of said unclaimed dead convict body or bodies.

§ 4. That should any friend or relative of such deceased convict claim any body for burial, said professors or physicians shall immediately surrender said body to said friend or relative.

§ 5. That it shall be the duty of wardens or other persons having in charge the dead body or bodies of convicts in the State of Kentucky, to first give notice to the friends and relatives, and in the event that said friends and relatives decline to bury the said dead convict, then he shall notify the aforesaid professors or physicians, who shall cause the said body to be removed free of any cost to the State.

§ 6. All acts or parts of acts in conflict with this act are hereby repealed.

§ 7. This act shall take effect after its passage.

Mr. Stewart moved to amend said bill as follows, viz:

Amend by adding thereto the following words, to-wit: "*Provided*, That this bill shall only apply to such convicts as were doctors, physicians, grave robbers and dissecting room students."

Mr. Goebel proposed to amend said bill as follows, viz:

Amend by adding to section 5, the words following:

"All costs and expenses of executing this act shall be paid by the Mason & Foard Company."

Mr. Goebel moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goebel and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,
Ben F. Bradley,

R. G. Hays,
J. P. Huff,

J. J. Paul,
A. L. Peterman,

Reuben Conner,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	D. L. May,	B. F. Reynolds,
W. W. Dickerson,	J. W. McCain,	J. H. Shearer,
Sam E. English,	John McCann,	D. H. Smith—20.
T. L. Glenn,	John P. Newman,	

Those who voted in the negative, were—

J. H. Lunsford,	J. W. Martin,	A. H. Stewart—3.
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The question was then taken on the adoption of the amendment proposed by Mr. Stewart to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

William Goebel,	J. W. Martin,	A. H. Stewart—4.
R. G. Hays,		

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English.	J. W. McCain,
Ben F. Bradley,	G. W. Gates.	Jno. P. Newman,
R. J. Breckinridge,	T. L. Glenn,	J. J. Paul,
B. F. Cockrell,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	D. L. May,	D. H. Smith—19.
W. W. Dickerson,		

The question being taken on the adoption of the amendment proposed by Mr. Goebel to said bill,

The Speaker declared said amendment out of order, not being germane to the bill.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Mr. Smith moved to reconsider the vote by which the Senate passed said bill.

Mr. Smith moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. W. McCain,
Ben F. Bradley,	G. W. Gates,	John McCann,
R. J. Breckinridge,	T. L. Glenn,	John P. Newman,
B. F. Cockrell,	J. P. Huff,	J. J. Paul,
Reuben Conner,	John R. Kemp,	A. L. Peterman,
F. W. Darby,	William Lindsay,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	D. H. Smith—21.

Those who voted in the negative, were—

W. F. Berry,	J. W. Martin,	A. H. Stewart—5.
J. H. Lunsford,	J. H. Shearer,	

Resolved, That the title of said bill be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled “An act to incorporate the Paducah and Lovelaceville Gravel Road Company,” approved February 27, 1860.

An act for the benefit of White Common School District No. 49, Elliott county;

An act to amend the charter of Bellvue, Campbell county.

An act to amend an act, entitled “An act to incorporate the Deposit Bank of Russellville, Kentucky,” approved May 13, 1886.

An act to prevent fast riding and driving across bridges in Elliott county.

An act to incorporate Clinton Lodge No. 23, Knights of Pythias.

An act to amend an act, entitled “An act to amend and reduce into one the several acts relating to the incorporation of the town of Pikeville, in Pike county.”

An act to charter the Cowan Station and Battle Run Turnpike Road Company, in Fleming county.

An act to re-enact and amend an act, entitled “An act to

amend an act, entitled 'An act to authorize the county court of Robertson county to subscribe stock to turnpike roads and issue bonds for the same,' approved May 10, 1884.

An act to establish an additional voting precinct in Hickman county.

An act authorizing the commissioners of Lawrence county to apply the county tax on Ohio & Big Sandy Railroad Company's road and property in payment of expenditures for right of way.

An act for the benefit of School Districts Nos. 20 and 43, in Morgan county.

An act to amend an act, approved April 2, 1890, entitled "An act to incorporate Mitchell, Finch & Company's Bank of Maysville, Kentucky."

An act to amend the charter of the Bank of Commerce.

Mr. McCain, chairman of the special joint committee of the Senate and House of Representatives, appointed to investigate and report on the condition of the Branch Penitentiary at Eddyville, submitted the following as the majority report of said committee, viz:

FRANKFORT, KY, April 26, 1890.

Hon. JAMES W. BRYAN, Speaker of the Senate, and Hon.

HARVEY MYERS, Speaker of the House of Representatives:

We, your joint committee, appointed to investigate the condition of the Eddyville penitentiary, would respectfully report that as most of the members of the House and many of the members of the Senate visited and made a personal inspection of the condition of the buildings and surroundings, we do not deem it necessary to give an extended report as to the condition of the buildings. We will, however, say that as far as the work has progressed it seems to be substantially done, and we believe that at the outside limit said prison can be made ready for the reception and advantageous working of 414 convicts by the first of September next. As to the appropriations and expenditures for said prison we respectfully refer to the Governor's report, dated March 20, 1890, made in response to House resolution, which report gives a thorough and complete statement of all expenditures. The contractors, Mason & Foard Company, are also the lessees of said property for a period of ten years from the second day of Octo-

ber, 1888, which is fully shown in the Governor's report. They also agreed and contracted to build and construct a branch railroad from the line of the Newport News and Mississippi Valley Railroad to near the penitentiary building, which they have been unable to do, because they could not acquire the right of way from the land owners by purchase, and had no authority to condemn land for right of way. We recommend that an act be passed authorizing the commissioners to condemn right of way for said road.

We find, from the Governor's report, there remains unexpended of the last appropriation for said penitentiary the sum of \$9,082.96, which amount, we think, will be sufficient to cope the walls inclosing the prison buildings, which should be done, and to arch cells with corrugated sheet iron. By arching the cells it will make the prison much warmer in the winter, and by barring out the rays of the sun make it much cooler in the summer. We respectfully recommend that said \$9,082 96 be so applied. We think with the walls coped and the cells arched the prison will be comfortable and the walls made secure and the buildings ready for 414 convicts, and, therefore, we do not recommend any further appropriation.

We respectfully refer to the act of April 4, 1888, and supplementary act of May 4, of same year, and we file evidence in writing, taken before joint committee, and the contract made by the Governor on the part of the State with the Mason & Foard Company to build said penitentiary building as a part of this report, all of which is respectfully reported.

J. W. McCAIN,
B. F. REYNOLDS,
CHAS. B. POYNTZ,
JAS. P. GAY, SR.,
E. D. BRISCOE,
G. H. GARDNER,
W. S. McCLANAHAN,
SCOTT BROWN,
R. S. MAY.

On motion of Mr. McCain—

Ordered, That said report be referred to the Committee on Penitentiary and House of Reform.

Mr. Darby of the special joint committee of the Senate and House of Representatives, appointed to investigate and report on the condition of the Branch Penitentiary at Eddyville, on behalf of himself and Messrs. J. J. Nall and S. L. Holland, submitted the following as a minority report of said committee, viz :

FRANKFORT, KY., April 23, 1890.

To Senate and House of Representatives :

The undersigned members of the committee appointed to visit, examine and report as to the condition and progress of the branch penitentiary at Eddyville, would report that they visited said prison and found it in such advanced state of completion that in our opinion it can be made ready for reception of 414 convicts by the first day of July, 1890.

We estimate, that after completion of existing contracts, there will be a balance of the appropriation of last session of about \$9,000. But this is only an estimate. The balance may be reduced below this amount.

The completion of said contracts will still leave considerable work to be done to make said branch ready for occupancy and use as a prison. The following will be necessary :

1. Arch from cell-house walls to cell.
2. Wall to protect shop building from water.
3. Copping on outer wall.
4. Paving grounds inside wall.
5. Branch railroad from Newport News & Mississippi Valley Railroad.
6. Furnishing guard rooms and offices in administration building.
7. Putting wash troughs and other fixtures and furniture in kitchen and laundry.
8. Putting iron bedsteads in 414 cells.

None of these matters seem to be provided for by existing contracts, except the building of branch railroad, which contract could not be carried out, because the appropriations proved to be insufficient, and for further reason that no provision has been made for the procuring of right of way.

The balance of \$9,000, or so much of it as may remain availa-

ble, will be largely insufficient to do the work and put in fixtures, etc., named. And further appropriations will be necessary to do said remaining work and put in such fixtures and furniture as the General Assembly may deem proper to do or to put in.

Stone or iron should be put in front of administration building, but wooden steps are being used.

The work suggested will still leave several rooms in the administration building and the tower incomplete.

All of which is respectfully submitted,

F. W. DARBY,
J. J. NALL,
S. L. HOLLAND.

On motion of Mr. Darby—

Ordered, That said report be referred to the Committee on Penitentiary and House of Reform.

And then the Senate adjourned.

TUESDAY, APRIL 29, 1890.

The Speaker of the Senate being absent, at his request Hon. A. L. Peterman took the Chair and presided.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Greenup county.

An act to incorporate Rowena Lodge, No. 41, Knights of Pythias, in the town of Harrodsburg, Mercer county, Kentucky.

An act to prevent the sale of spirituous, vinous or malt liquors within a radius of two miles of the Smithsonville school-house, Harrison county.

An act to prevent and punish trespass upon real estate in certain counties in this Commonwealth.

An act to authorize the Oldham County Court to borrow money to pay for the erection of a jail and jailer's residence for said county.

An act to amend an act to incorporate the Harrodsburg and Baton Rouge Turnpike Road Company, in Mercer county, approved February 6, 1873.

An act to incorporate St. Xavier's College, of Louisville, Kentucky.

An act to amend and reduce into one the road laws of Greenup county.

An act incorporating the Irvine Street Railway Company.

An act to incorporate the Kentucky Abstract and Guaranty Association.

An act to empower the Campbell County Court to subscribe to the capital stock of turnpike roads in said county.

An act to provide for the construction and repairs of public roads in Carter, Breathitt and Elliott counties.

An act to amend an act, entitled "An act to provide for removing obstructions in the water-courses of Calloway county," approved the 8th day of March, 1886.

An act to incorporate the Vanceburg and Stout's Lane Turnpike Road Company, in Lewis county.

An act to incorporate the Cypress Pond Draining Company of Union county.

An act to amend section 6, article 8 of the General Statutes, chapter 96, title "Schools."

An act to amend an act, entitled "An act to amend an act, entitled 'An act for the benefit of, and to reduce into one the several acts relating to the town of Eddyville, in Lyon county,'" chapter 221, Acts General Assembly.

An act to enforce the satisfaction of judgments against railroad companies.

An act to amend chapter 923 of the Acts of the General As-

sembly of Kentucky, approved April 7, 1888, entitled "An act to incorporate the town of Springville, in Greenup county."

An act to incorporate the Midway Hotel Company.

An act to amend an act, entitled "An act to incorporate the town of Rowland, Lincoln county."

An act to prohibit the destruction of fish in the Kentucky river and its tributaries, and to prescribe a penalty therefor.

An act to amend the charter of the Louisville Jockey Club and the amendments thereto.

An act authorizing the county judge of Simpson county to appoint a board or committee to sell real estate belonging to Simpson county.

An act to amend an act, entitled "An act to incorporate the Carrollton and Prestonsville Bridge Company."

An act to authorize the county court of McLean county to levy a per capita and an ad valorem tax for the purpose of building and keeping in repair bridges in said county.

An act in relation to roads and bridges in Ohio county.

An act to amend the charter of the city of Newport, authorizing the reconstruction of its streets, and to pay for the same by an issual of bonds of the city.

An act to incorporate the Citizens' Deposit Bank of Booneville.

An act to regulate the employment of guards to convey prisoners from one county to another of this Commonwealth.

An act to incorporate the Colored Cemetery Company of Nicholasville, Kentucky.

An act for the benefit of the board of internal improvements for Lincoln county.

An act to amend an act, entitled "An act to authorize the Lincoln County Court to take stock in certain turnpike road companies."

An act to incorporate the town of Shiloh, in Calloway county.

An act to create a board of commissioners for Letcher county, to prescribe their powers and duties, and to authorize them to issue bonds for certain purposes.

An act imposing a tax on dogs in Fayette county, and providing for its collection and appropriation for the payment of sheep killed in said county by dogs ;

An act to declare Beaver creek, in Floyd county, navigable for push-boats, and to provide for the improvement of the same, and the removal of mill-dams across said stream, and for the compensation to the owners of same.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Clifton and Reservoir Park Railroad Company."

An act to charter the Mt. Pleasant Cemetery Company.

An act to incorporate the Lebanon and North and South Railway Company.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors, or any mixture thereof, in the town of Danville, or within two miles of the limits thereof," approved April 19, 1886.

An act to incorporate the Masonic Temple Company of Richmond.

An act to incorporate the town of Zion, in Henderson county, Kentucky.

An act to incorporate the Workingmen's Building and Loan Association.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Ford Savings Bank.

An act to incorporate the Waco and Richmond Railway Company.

An act to incorporate the People's Banking and Trust Company.

An act to incorporate the Nolin Investment Company.

An act to incorporate the Green River Land Development, Manufacturing and Mining Company.

An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years.

An act for the benefit of Hiram Crabtree, of Wayne county.

An act to incorporate the Danville Street Railway Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Rochester," approved ——— day of ———, 18—.

An act to change the time for holding the Trimble Quarterly Court, and to regulate the jurisdiction thereof.

An act to regulate the sale of spirituous, vinous and malt liquors in Trimble county.

An act to incorporate the Mt. Sterling Natural Gas and Oil Company.

An act to establish and maintain a public graded school in Eden, Martin county.

An act to amend the charter of the town of Chester, Mason county.

An act to incorporate the Barnes' Mill and Schooler Turnpike Road Company, in Madison county.

An act to incorporate the Prestonsburg and Big Sandy River Bridge Company.

An act to incorporate the city of Flemingsburg.

An act to amend the charter of Bedford, Trimble county.

An act to amend an act to incorporate the St. Charles Coal Company, which said act became a law without the signature of the Governor on the 12th day of March, 1873, and is contained in chapter 402 acts of the General Assembly of the Commonwealth of Kentucky of 1873.

An act to amend an act, entitled "An act to incorporate the town of Crofton, in Christian county," approved February 6, 1873.

An act to incorporate the Elkhorn and Big Sandy River Bridge Company.

An act to incorporate the Elkhorn Land and Mining Company.

An act to incorporate the town of Sturgis, in Union county.

An act to incorporate the Pineville Water Company, of Bell county.

An act to divide Carlisle Civil District No. 4, into two election precincts.

An act to incorporate Lily Lodge Knights of Pythias No 67, of Carlisle.

An act to incorporate the Western, Locust Grove and Cassady Creek Turnpike Road Company.

An act to incorporate the Kentucky River and Virginia Railroad Company.

An act to authorize and empower the trustees of Common

School District No. 18, in Larue county, to levy a per capita and ad valorem tax for certain purposes.

An act to amend the charter of the Louisville Water Company.

An act for the benefit of H. R. Bourland, of Hopkins county.

An act for the benefit of Mrs. Lucy Curry, of common school district No 26, white, Montgomery county.

An act to establish common school district No. 23, Metcalfe county.

An act to incorporate the Shadwick's Ferry Turnpike Company.

An act to repeal an act, entitled "An act to incorporate the Parksville Turnpike Company."

An act to incorporate Wilderness Road Turnpike Company.

An act to authorize the Trimble County Court to appropriate and expend any balance known as the court-house fund, in Trimble county.

An act to amend an act, entitled "An act to prohibit the sale or loaning of spirituous, vinous or malt liquors in the town of Buffalo, in Larue county, or within two miles thereof," approved May 10, 1884.

An act to incorporate the Commerce Insurance Company, of Mt. Sterling, Kentucky.

An act to incorporate Hargis College, of Mt. Pleasant, Harlan county, Kentucky.

An act to amend the charter of the city of Covington.

An act to re-enact, adopt and amend an act, entitled "An act to incorporate the Union County Bank," approved March 10, 1870.

An act to amend an act, entitled "An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors and fixing the penalty for the sale of liquors in said county," approved January —, 1890.

An act to incorporate the Midway Cemetery Company.

An act to incorporate Buford Lodge No. 494, Free and Accepted Masons at Midway, Woodford county, Kentucky.

An act to amend the charter of the Elizabethtown Building and Loan Association.

An act to incorporate the Kentucky Pipe Line Company.

An act to establish an additional voting precinct, in Hopkins county.

An act to prevent the keeping of certain places and setting up certain games in the city of Carlisle, and to repeal part of an act to establish a city government for Carlisle.

That they had passed, with amendments thereto, bills which originated in the Senate of the following titles, viz :

1. An act to provide for the plugging of all abandoned natural gas wells in this Commonwealth.

2. An act to amend an act, entitled "An act to incorporate the Paducah and Cairo Railroad Company," approved March 16, 1888.

3. An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890.

Ordered, That said bills, together with the amendments thereto be referred—the 1st to the Committee on General Statutes ; the 2d to the Committee on Railroads, and the 3d to the Committee on Courts of Justice.

That they had passed bills of the following titles, viz :

1. An act for the benefit of J. L. Holland, Esq., of Marshall county, Kentucky.

2. An act providing for the construction of a turnpike on county road No. 66, in Kenton county, etc.

3. An act to incorporate the Louisville Terminal Railway Company.

4. An act to prevent obstructions of turnpike roads in Anderson county.

5. An act to amend an act, entitled "An act to charter the Butler and Boston Turnpike Company, in Pendleton county," approved April 13, 1888.

6. An act for the befit of teachers of common schools in Barren county.

7. An act for the benefit of Sibhern Phelps, a minor under twenty-one years of age.

8. An act to authorize the city of Owensboro to exempt from city taxation certain machinery, raw materials and manufactured articles.

9. An act to amend the charter of the Union County Fair

Company and the amendment thereto," approved February 29, 1888.

10. An act to incorporate the Red House and Four Mile Turnpike Road Company.

11. An act in relation to working of public roads in Hart county.

12. An act to amend section 6 of an act, entitled "An act to incorporate the Laurel County Fair Company," approved April 14, 1886.

13. An act to amend an act, entitled "An act to incorporate the Lexington City Railway Company."

14. An act to authorize the Ghent and Gallatin Turnpike Company to collect tolls for the lessees of the Sugar Creek and Stephens' Creek Turnpike Company, and the Stephens's Creek and Carroll Line Turnpike Company.

15. An act to prohibit the chasing of deer with dogs in Edmonson county.

16. An act to incorporate the Big Sandy Bridge Company.

An act to incorporate the Hibernia Turnpike Company.

18. An act to repeal an act, entitled "An act for the benefit of the Ridge Turnpike Company, in Shelby county," approved April 13, 1888.

19. An act to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Grayson, in Carter county.

20. An act to authorize the Jonesville and Glenco Turnpike Road Company to collect toll for the Sugar Creek and Glenco Turnpike Road Company, in Gallatin county.

21. An act to incorporate the Bank of Barbourville.

22. An act for the benefit of the city of Frankfort.

23. An act to amend an act, entitled "An act creating a new charter for the town of Warsaw, in Gallatin county."

24. An act to amend an act to provide for a stock law in Jefferson and Oldham counties, approved April 15, 1882.

25. An act for the benefit of William H. Corbett (alias Hick Corbett), of McCracken county.

26. An act to amend an act, entitled "An act to incorporate the Farmers' and Merchants' Bank of Falmouth," approved March 25, 1890.

27. An act to amend an act, entitled "An act to empower the county court of Pendleton county to make subscriptions to the capital stock to turnpike roads in said county," approved March 15, 1878, and act amendatory thereto, approved April 1, 1886.

28. An act to amend an act to incorporate the Hubermont Rural Home Company, approved May 1, 1884.

29. An act to regulate tolls on gravel roads in Daveiss county.

30. An act to protect game in the county of Laurel.

31. An act to create the office of county treasurer in Mercer county.

32. An act to authorize the county court of Carlisle county to issue bonds for the purpose of working the public roads in said county, and to levy an ad valorem tax to pay the same.

33. An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or agents in Breckinridge county.

34. An act relating to the working of the public roads in Daveiss county.

35. An act to prevent stock from running at large on turnpike roads in Gallatin county.

36. An act to prohibit the sale of any spirituous, vinous or malt liquors in a less quantity than five gallons within a radius of one mile of Macedonia Church, in Grant county, and to prescribe a penalty therefor.

37. An act to incorporate the town of East View, in Hardin county, Kentucky.

38. An act for the benefit of the Baptist Church in Barbourville, Knox county, Kentucky.

39. An act to incorporate the Louisa and Southeastern Railroad Company.

40. An act to incorporate the Louisa and Cassville Bridge Company.

41. An act to reduce into one all the acts in relation to the town of Irvine, in Estill county, and to amend same, and to extend the limits of said town.

42. An act to amend an act incorporating the Blakeman Mill and Buckeye Turnpike Road Company, in Madison and Garrard counties.

43. An act to amend the charter of the city of Cynthiana, Kentucky.

44. An act to amend an act, entitled "An act to incorporate the Williamsburg Institute," approved April 6, 1888.

45. An act to incorporate the Commercial Travelers Benevolent Society of America.

46. An act to incorporate the Farmers' Bank of Maysville, Kentucky.

47. An act to provide for the election of a board of auditors for the town of Central City, Muhlenburg county, Kentucky, and to define the duties of said board.

48. An act in regard to the Bardstown and Green River Turnpike Road Company.

49. An act defining the Knott county line.

50. An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of the public school house of Hindman, Kentucky.

51. An act to prohibit the sale of spirituous, vinous or malt liquors in Knott county.

52. An act to authorize the trustees of the Methodist Episcopal Church of Bethel, Bath county, to sell and convey certain lands.

53. An act for the benefit of all persons residing inside the corporation of the town of Florence, liable to work on the public roads in Boone county.

54. An act to create the sixth magisterial or justice district in Anderson county, and to fix the place of voting therein.

55. An act to protect the citizens of district No. 1, on the east side of turnpike road, in Anderson county, from trespass by stock.

56. An act to incorporate the Chemical Bank of Lawrenceburg, Kentucky.

57. An act to declare Owen's creek of Little Sandy river, in Elliott county, a navigable stream.

58. An act to incorporate the Crow's Shop and Little Flat Lick Turnpike Road Company.

59. An act to incorporate the town of Defoe, in Henry county.

60. An act to amend an act to incorporate the town of Gistville, in Henry county, approved March 11, 1862.

61. An act for the benefit of P. C. Smith, lately appointed sheriff of Henry county.

62. An act declaring a certain order of the Larue County Court valid and binding.

63. An act to incorporate the American Guarantee Company of Louisville.

64. An act to change the voting place in the second magisterial district in Lyon county, from the Tennessee Rolling Mill to Confederate, in the same district.

65. An act to empower the police court of the town of Kuttawa to work parties that have been convicted of misdemeanors upon the streets of said town.

66. An act to amend an act, entitled "An act to authorize and empower Muhlenburg county to fund its outstanding bonded indebtedness," approved March 18, 1878.

67. An act for the benefit of the Ohio county and circuit court clerks of Ohio county.

68. An act to amend the charter of the Shelbyville and Burk's Branch Turnpike Road Company.

69. An act to change the boundary line of the town of Beattyville, and increase the license of vendors of spirituous, vinous or malt liquors, etc.

70. An act to incorporate the Limaburg and Anderson Ferry Turnpike Road Company.

71. An act to amend an act to amend an act, entitled "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1882.

72. An act to amend an act, entitled "An act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county," approved March 15, 1890.

73. An act to amend an act, entitled "An act to provide a road law for Floyd county," approved April —, 1890.

74. An act to amend an act, entitled "An act to protect passengers and steamboatmen on the Big Sandy river," approved April —, 1890.

75. An act providing punishment for vagrants and tramps in Marion county.

76. An act to authorize the county attorney of Owen county to receive certain public books.

77. An act to authorize the board of trustees of the town of Glasgow to take the sense of the legal voters of said town upon the question of issuing bonds to improve the streets.

78. An act to change the time of holding the circuit courts of the Seventh Judicial District of this Commonwealth.

79. An act to amend an act, entitled "An act to incorporate the Paducah, Hinkleville and Blandville Turnpike or Gravel Road Company."

80. An act for the benefit of L. M. Hazelip, judge of the Edmonson County Quarterly Court.

81. An act to repeal the amendment to an act authorizing the Floyd County Court to levy a poll and ad valorem tax to pay for public building in said county, which was approved May 5,

82. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the acts incorporating the town of Louisa,'" approved March 11, 1869, and the acts amendatory thereof, approved May 3, 1884.

83. An act to incorporate the Kentucky and West Virginia Bridge Company.

84. An act to incorporate the Paintsville Lodge No. —, Independent Order of Odd Fellows at Paintsville, in Johnson county.

85. An act to incorporate D. V. Auxier Post, No. 73, G. A. R., in Johnson county.

86. An act to incorporate Kenton, Pearce & Co.'s Bank at Mt. Olivet, Kentucky.

87. An act to incorporate the Lexington Canning Company.

88. An act to incorporate the Prestonsburg Water Works Company.

89. An act to amend an act, entitled "An act to amend an act to provide for the working of persons committed to the custody of the jailers of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter counties," approved March 24, 1888, so far as the same applies to the counties of Floyd and Johnson.

90. An act to incorporate the town of South Park, in Jefferson county.

91. An act to re-district the counties of Johnson, Martin, Pike, Letcher, Floyd and Knott into legislative districts.

92. An act to incorporate the Prestonsburg Electric Light Company.

93. An act in relation to roads and bridges in Boyd county.

94. An act to amend an act, entitled "An act to incorporate the town of McHenry.

95. An act to incorporate the Barbourville Water Works Company.

96. An act to authorize the county of Metcalfe to subscribe aid to the Burksville and Northwestern Railroad Company.

97. An act to amend the charter of the Scarilla and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties.

98. An act to incorporate the Hardinsburg & Cecelia Railroad Company.

99. An act for the benefit of John M. Phelps, alias John H. Nicholson, of the county of Bullitt.

100. An act to change the name of the county seat of Elliott county, and to repeal an act, entitled "An act to change the name of the county seat of Elliott county," approved February 13, 1888.

101. An act to provide for a stock law for Wood's and Blankenbaker's voting precincts in Jefferson county.

102. An act to incorporate the Waddy Real Estate and Improvement Company.

103. An act for the benefit of the Shelbyville and Eminence Turnpike Road Company.

104. An act to prohibit the use of wire fencing along the public roads and turnpikes of Carroll county.

105. An act to incorporate the Citizens' Bank of Barbourville.

106. An act for the benefit of the tax-payers of Logan county, Kentucky.

107. An act to declare Green river, in Edmonson county, a lawful fence.

108. An act to repeal an act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county," approved February 19, 1873.

109. An act to incorporate the Petersville and North Fork Bridge Turnpike Road Company, in Lewis county.

110. An act to amend an act to incorporate the Band Mill and Cheese Lick Creek Turnpike Road Company, in Anderson county.

111. An act authorizing the magistrates in the Glencoe District, in Gallatin county, to hold monthly terms of court.

112. An act to incorporate the Cove Dale and Ohio River Turnpike Road Company, in Lewis county.

113. An act to incorporate the Union Building and Loan Association.

114. An act to incorporate the People's Bank of Mt. Washington,

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 6th and 44th to the Committee on Education; the 2d, 8th, 10th, 19th, 29th, 34th, 47th, 66th, 67th, 74th, 75th, 80th, 81st, 82d, 87th, 88th, 92d, 93d, 94th and 100th to the Committee on Courts of Justice; the 3d, 13th, 16th, 39th, 40th, 83d, 96th and 98th to the Committee on Railroads; the 4th, 7th, 11th, 17th, 22d, 25th, 31st, 42d, 54th, 55th, 58th, 62d, 64th, 65th, 71st, 78th, 97th, 99th and 110th to the Committee on the Judiciary; the 5th and 95th to the Committee on Codes of Practice; the 9th to the Committee on Federal Relations; the 12th, 32d, 43d and 79th to the Committee on Agriculture and Manufactures; the 14th, 15th, 20th, 23d, 30th, 35th, 49th, 53d, 57th, 70th, 73d, 76th, 77th, 89th, 104th, 107th and 111th to the Committee on Propositions and Grievances; the 18th, 33d, 48th, 59th, 60th, 61st, 68th, 102d, 103d and 108th to the Committee on General Statutes; the 21st, 26th, 46th, 56th, 63d, 86th, 105th, 113th and 114th to the Committee on Banks and Insurance; the 24th, 28th, 37th, 90th and 101st to the Committee on Internal Improvements; the 27th to the Committee on Revenue and Taxation; the 36th, 38th, 41st, 45th, 50th, 51st, 52d, 69th, 72d, 84th, 85th and 91st to the Committee on Religion and Morals; the 106th to the Committee on Claims, and the 109th and 112th to the Committee on Finance.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to amend the charter of the Newport Light Company.

By same—

An act to authorize the board of council of the town of Danville to close up so much of cemetery street as lies within the limits of the cemetery property.

By same—

An act to incorporate the Bank of Allen County.

By same—

An act to incorporate the Silver Cliff Bank, of Kuttawa.

By Mr. McCann, from the Committee on Courts of Justice—

An act for the benefit of Louis Seeger, of the city of Louisville, Kentucky.

By Mr. Gates, from the same committee—

An act to incorporate the Anchor Fuel and Light Company.

By same—

An act to establish an additional magistrate District, in Daveiss county.

By same—

An act to amend an act, entitled “An act changing the boundary and limits of the city of Owensboro, in Daveiss county, Kentucky.”

By same—

An act to provide for a registration of voters in the city of Owensboro.

By same—

An act to regulate municipal elections in the city of Owensboro.

By same—

An act constituting Green river a lawful fence from its mouth to the point where it forks with Barren river.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. McCann, from the Committee on Courts of Justice—

An act to approve and confirm the charter of the W. J. Hughes & Sons Company, of Louisville, Kentucky.

By same—

An act to attach the county of Jackson to the common pleas court composed of the counties of Harlan, Perry, Leslie, Laurel, Whitley, Knox, and Bell.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw from the Senate, the announcement of their passage of a bill, which originated in the Senate, entitled

An act to amend the charter of the Cincinnati, Alabama & Atlantic Railroad Company,

Which was granted, and said bill was delivered to the messenger.

Mr. May, from the joint committee heretofore appointed to ask the withdrawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the House of Representatives, entitled

An act to authorize the Mt. Washington precinct, in Bullitt county, to subscribe to the capital stock of the Louisville Southwestern Railroad Company,

Reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. May moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. May proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. May withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had disagreed to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

Mr. Reynolds withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to enable the county court of Mason county to provide for turnpikes in Mason county," approved May 15, 1886.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to prohibit the sale, bartering or giving away of spirituous, vinous or malt liquors, ale, beer or cider, within two miles of Oak Ridge Baptist Church, in Lewis county.

Which was granted.

Whereupon the Speaker appointed Mr. Poyntz said committee on the part of the Senate.

After a short time Mr. Poyntz, from said committee, reported that the committee were unable to perform that duty, said bill having become a law without the approval and signature of the Governor.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Huff—

1. A bill for the benefit of Poplar Plains and Tilton Turnpike Road Company of Fleming county.

On motion of Mr. Wright—

2. A bill to incorporate the Bank of Allen.

On motion of same—

3. A bill to incorporate the Peoples' Bank of Winchester.

On motion of same—

4. A bill to require the Louisville and Nashville Railroad to keep a watchman at crossing near Frankfort.

On motion of same—

5. A bill to incorporate the Winchester Water Company.

On motion of Mr. Hendrick—

6. A bill to incorporate the Silver Cliff Bank of Kuttawa.

On motion of Mr. Gates—

7. A bill for the appointment of official reporters for the Fourth Judicial District, composed of the counties of Daveiss, McLean, Ohio and Hancock, and for the preservation of evidence in certain cases.

On motion of Mr. Wortham—

8. A bill to incorporate the Falls of Rough Water Company.

On motion of Mr. May—

9. A bill to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

On motion of Mr. Cockrell—

10. A bill, entitled "An act for the benefit of J. M. Thomas, of Bourbon county."

Ordered, That the Committee on Finance prepare and bring in the 1st ; the Committee on General Statutes the 2d, 3d, 5th and 8th ; the Committee on Railroads the 4th ; the Committee on the Judiciary the 6th and 10th ; the Committee on Courts of Justice the 7th ; the Committee on Religion and Morals the 9th.

Mr. Lindsay withdrew the motion heretofore entered by him, to reconsider the vote by which the Senate had passed a bill which originated in the Senate, entitled

An act to incorporate the Mount Sterling, Louisville & Norfolk Railroad Company.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, April 29, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled "An act for the benefit of Francis M. Gibson, of Wayne county."

The preamble recites that said Gibson having been convicted of felony and having served a term of one year in the State penitentiary, is still deprived of the right of suffrage, and the first section of the bill declares "that the said Francis M. Gibson be, and he is hereby, restored to the right and privilege of voting, and all the disabilities, by reason of said incarceration, are hereby removed."

The conviction of the beneficiary of this act was procured under a law enacted by the General Assembly in pursuance of the mandatory provisions of section 4, article 8 of the Constitution, which provides that "Laws shall be made to exclude from office and from suffrage those who shall thereafter be convicted of bribery, perjury, forgery or other crimes or high misdemeanors."

The people in adopting this provision evidently believed that persons guilty of the crimes specified, did not possess the qualifications proper in an elector, and therefore imposed upon the legislative department a duty which they could not evade, to enact laws to carry into effect their expressed wishes.

Under the laws thus enacted, the beneficiary of this bill was convicted, and it appears that he was sentenced to serve a term of one year in the State penitentiary, and to be forever deprived of the right of suffrage. That part of the sentence inflicting imprisonment has been completed ; the residue is a continuing sentence not yet fulfilled and which, it is proposed, shall be brought to a termination by the passage of this bill.

The bill is not in the nature of an act of legislation, but of an executive act of pardon. It is the province of the legislative department to enact, to repeal and to modify laws, but not to

adjudicate nor to execute them. The first article of the Constitution provides that the powers of the government shall be divided into three "distinct departments," and that each of these departments shall be confided to "a separate body of magistracy—those which are legislative to one; those which are executive to another, and those which are judiciary to another;" so that no person belonging to one department shall be a member of either of the others.

The second section of this article is still more explicit, ordaining that "no person or collection of persons, being of one of those departments, shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted."

The tenth section of the third article declares that the Governor "shall have power to remit fines and forfeitures, grant reprieves and partons." The only exceptions are in cases of treason and impeachment, in certain specified fees, and a limitation of his power to pardon in cases of dueling.

In no part of the Constitution is any authority to pardon given to the General Assembly except in cases of treason.

The only question to be determined is, whether the present bill is in the nature of a legislative or of an executive act.

As far back as 1842 the just limits of legislative and executive action in cases of this character were defined by Chief Justice Robertson, of our Court of Appeals, in the case of *Commonwealth v. Jackson*.

In 1833 the Legislature enacted a law affixing certain penalties for its violation. In 1843 it amended this law, providing that on a compliance with certain conditions the penalties inflicted by the original act should not apply.

After the passage of the amendatory act, and after a compliance on the part of Jackson with its conditions, an action was brought with the object of inflicting on Jackson the penalties imposed by the act of 1833. The Court of Appeals adjudged that "had the Legislature repealed, instead of modifying, as it did, the act of 1833, Jackson, though he may have been guilty of violating that statute before the repeal of it, could not have been punished, because no judgment of conviction could have been rendered against him without a law in force at the date of

the judgment authorizing the court to render it. The power to repeal necessarily included that of modifying or suspending the act of 1841 is as efficacious in Jackson's favor as an unqualified repeal of the statute would have been."

Commenting still further on the case, Chief Justice Robertson said: "Our Constitution has wisely distributed all local sovereignty among three organized departments, and as wisely declared that no one of these departments shall exercise any power properly belonging to another. And this is, perhaps, the most conservative provision in our organic law.

"But it has not, in our opinion, been violated by the enactment of 1841; for though the Constitution confides to the Governor the high power to pardon offenses and remit penalties, nevertheless the supplemental and qualifying act of 1841 can not be deemed a pardon or remission in the constitutional sense. It is general, permanent, prospective and comprehensive. It conditionally repealed the act of 1833, and abolished the offense denounced therein, and in consequence of its provisions, Jackson is guilty of no offense which the Governor could pardon. A pardon is a liberation of the guilty from the punishment of the violated law. The act of 1841 abolishes the law. A pardon rescues an individual from the law. In the one case the offense and the law both continue to exist; in the other there is neither subsisting—offense nor violated law. Both the offense and the violated law have been abolished, as to Jackson, by the statute of 1841. But when the Governor pardons, both the offense and the offended law still subsist, the punishment only being remitted. The Legislature has remitted the crime itself, and virtually repealed the law which denounces it. The act of 1841 was, therefore, legislative and not executive."

Applying the principles of this decision to the present bill, it will be perceived that the Legislature leaves in full force the statute under which the beneficiary was convicted; that it does not attempt to abolish the offense for the future, but limits its action to an attempt to "rescue an *individual* from the law;" to liberate "the guilty from the punishment of the violated law," which is defined by the court to be a "pardon," or executive act which the Legislature is forbidden to exercise. The proposed bill is, therefore, clearly unconstitutional.

The question has been discussed at some length, because of the recent action of the Senate on a question where the same principle was involved. The bill which was then returned to the Senate, conferred upon the legislative department of a municipality the power to "remit fines, penalties and forfeitures" in which the municipality was interested. Of the many charters granted by the present General Assembly, this was the only one in which this particular feature was discovered. It seemed to violate so clearly the principle prescribing a division of the powers of the government, that it was returned to the Senate without full discussion, assuming that the eminent lawyers of that body would sustain the objections that were indicated rather than urged. When these objections were overruled by an almost unanimous vote, I was disposed to believe that my position was necessarily wrong. I sought, therefore, to correct the errors of my position, and asked eminent lawyers to aid me in discovering their sources, but nearly all with whom I have advised have sustained the position I assumed in my communication to the Senate.

It is proper then, in this connection, to consider the character of a municipal government. Is it so different from either portions of the State government as to be exempted from the operations of the Constitution? That instrument, without making any exceptions, divides all the powers of the government into three distinct and separate departments, with a separate magistracy for each department, these bodies pervading the whole State, and extending from the highest to the lowest functionary. Interpreting this part of the Constitution, the decision already cited, declares that it "has wisely distributed *all* local sovereignty among three organized departments, and as wisely declared that no one of these departments shall exercise any power properly belonging to another."

The same high authority, Judge Robertson, in a decision of the Court of Appeals rendered in 1864, defining the character of a municipality, says: "But a municipal corporation like a State, a county, or the city of Louisville, is much more than a person. While nominally a person, it is vitally a political power; and each, in its prescribed sphere, is '*imperium in imperio*,' All are constituent elements of one total sovereignty.

The city of Louisville, to the extent of the jurisdiction delegated to it by its charter, is but an effluence from the sovereignty of Kentucky, governs for Kentucky, and its authorized legislation and local administration of law, are legislation and administration by Kentucky through the agency of that municipality,

It necessarily follows from this decision that every municipality in the State is but a part of the total sovereignty ; that the Constitution and the principles embodied in it apply equally to all ; that the division of powers exists everywhere, and that the same restriction limiting each department to the exercise of its appropriate powers applies to the local government of every municipality.

If it be otherwise, whence are its extraordinary powers derived? It is the creature of legislative enactment. Can the Legislature confer upon its creature powers not possessed by itself? If so there can be no limit to the powers it may confer. If it can merge two departments of the local government into one, it can equally confer upon a single department the powers of all three, which the Constitution declares shall remain separate and distinct ; and if it can constitute one municipality with these extraordinary powers, it can divide the entire State into similar municipalities, and by sufficiently enlarging the powers can overthrow the Constitution altogether.

It is of little moment who may pardon the penalties inflicted in any special locality, but the principle involved in maintaining the division of the powers of government is of vital importance ; and the Senate, a wise and conservative body, which should be the sheet anchor to hold fast the Constitution to its moorings, will be slow to take any action tending to the nullification of a clause of the Constitution written by Thomas Jefferson, adopted by the people of Kentucky, and contained in every one of the Constitutions of the Commonwealth.

Respectfully,

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

WHEREAS, Francis M. Gibson, of Wayne county, Kentucky, was convicted of felony in said county in the year 1870, and sentenced to the State Penitentiary for the period of one year ;

he having served his time and then returned to Wayne county, and has lived there ever since, a good, industrious, law-abiding and tax-paying citizen, and during this long period has been denied the right of suffrage; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the said Francis M. Gibson be, and he is hereby, restored to the right and privilege of voting, and all the disabilities by reason of said incarceration are hereby removed.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

In the affirmative—Phil Roberts—1.

Those who voted in the negative, were.

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
W. F. Berry,	William Lindsay,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	A. H. Stewart,
Reuben Conner,	John McCann,	J. S. Wortham,
F. W. Darby,	J. J. Paul,	D. W. Wright—19.
T. L. Glenn,		

So the Governor was sustained in his said veto, and said bill was rejected.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, April 28, 1890. }

Gentlemen of the Senate and House of Representatives :

I respectfully transmit to you a communication from the Judge of the Nineteenth Judicial District, inclosing a petition from a number of citizens of Perry county, requesting that troops be sent from some other section of this State, for the purpose of protecting the circuit court during its sittings in the counties of Perry and Knott. These communications should command your serious consideration.

At the beginning of your session your attention was invited to the disturbed condition of some of the counties in the State, in the hope and expectation that your wisdom would frame enactments which would remedy the evils which were then indicated; but as no legislation tending to the solution of these difficulties has reached the Executive Office, it is deemed appropriate to present these matters, in their present phase, for such legislative action as may be deemed advisable.

The facts leading to the present condition of affairs may be briefly summarized. In the autumn of 1888, on the representations of the circuit judge, a detachment of the State Guard was ordered to Perry county for the protection of the court. During the stay of this detachment a military company was organized in Perry county and mustered into the State Guard. As the county seat was remote from any line of transportation, and as the cost to the State for transporting troops from a distance was very great, it was deemed a matter of economy to organize, arm and equip a company on the spot where they were needed. It was also deemed proper in other respects, as there would then be constantly present an organized force of citizen soldiery, subject to the call of the local civil authorities whenever their assistance might be needed for the enforcement of the laws. This force is still present and subject to the call of the circuit judge or other proper officer in case of necessity. If summoned by these officials to aid them in enforcing the law, the cost must be defrayed, as it ought to be defrayed, by those to whose assistance they are called, and who are under every obligation to vindicate their claim to the right of local self-government.

If summoned by the Executive from a distance the expense will be many times greater, and must be paid out of the State Treasury. In either case the troops will be alike subject to the orders of the local civil authorities without interference on the part of the Executive.

As far as the present emergency is concerned the Executive will endeavor fully to discharge his duties, but whatever may be his action under existing laws, the situation has attained such gravity that legislative action is absolutely essential to a proper solution of the questions involved.

The presence of troops, whether local or from distant coun-

ties, will be sufficient to protect the court, but not to obtain justice. They can not and ought not to influence the finding of grand juries or the verdict of petit juries, or the testimony of a single witness. They can render the peaceful sitting of the court possible; they can relieve the community from the sense of immediate danger from lawless men, but they can not remove the apprehension of danger to be encountered after the withdrawal of the troops. On the departure of the troops, if from a distance, the lawless elements, though but a small part of any community, resume their aggressions, and the more numerous law-abiding element of society which, if resolute and united, could easily crush out all opposition to the enforcement of law, relapses into a condition of chronic timidity, due alone to the absence of organized effort under the direction of efficient officers of the law. It is this condition of things which confronts us in a number of counties in the Commonwealth, and to which we have no right to close our eyes. It is a difficult problem to solve, requiring the application of wisdom and true statesmanship on the part of the General Assembly; but, difficult as it may be, it can not be conceded to be impossible of legislative solution, unless republican government is to be considered a failure.

I will not venture to renew any of the suggestions which failed at the beginning of your session to awaken the attention of the General Assembly to what impressed me as one of the most important questions which would command their attention. If I could have done this, I feel assured that your study of the question would have found expression before this time in salutary legislation.

In the meantime, the difficulties attending the administration of justice are increasing, the sphere of local disturbances is enlarging, and the necessity for legislative action becomes daily more urgent.

Your careful consideration of this question is earnestly invoked.

Respectfully,

S. B. BUCKNER.

The communication and petition accompanying said message reads as follows, viz:

MANCHESTER, KY., April 24, 1890.

S. B. BUCKNER, *Governor of Kentucky*:

DEAR SIR.—I have the honor herewith to transmit to you a petition of sundry good citizens of Perry county, which will explain to you the opinion and wishes of the petitioners.

I am satisfied that the statements of their petition are true. Will you please be so kind as to notify me of your determination, so that I may give notice to the people and make necessary arrangements.

Very respectfully,

H. C. LILLY,

Judge of the Nineteenth Judicial District.

To the Hon. S. B. BUCKNER, Governor of the State of Kentucky:

We, the humble citizens of Perry county, see the necessity of a circuit court being held at this place, and we are satisfied that no judge can hold a court at this place without the presence of troops, and we ask your Honor to aid us in enforcing the law.

Will further say to you that the Perry County State Guards has, in part, left the county, and are so broken up and without ammunition that they can not render any assistance.

We have given this matter a careful and perfect thought, without prejudice, we want the law enforced, and without your aid we can not have it.

Will further say, that if your Honor thinks it proper to assist us in the way of troops, it is our opinion that it is necessary to render aid in Knott county, adjoining this:

Willard Combs, James M. Stewart, Samp. Combs, W. C. Taylor, John Baker, W. O. Davis, Ira Combs, W. H. Cornett, Clinton Combs, F. B. Feltner, David Y. Combs, A. G. Huff, E. C. Campbell, R. C. Combs, B. W. Griggsby, R. F. Fields, N. W. Smith, W. M. Campbell, Aus. Godsey, E. C. Davidson, Eli H. Cornett, W. T. Wilson, M. D., John H. Hall, John Feltner, Eli Hall, Lute Feltner, Arch Cornett, Joseph Feltner, W. T. Crawford, John R. Cornett, Henry Fields, R. H. Brashear, E. C. Brashear, Ellis Campbell, Wm. Brashear, William C. Cornett, Judge Hamons, Mr. M. B. Cornett, Hiram Cornett, Henry Pratt, H. G. Pratt, John J. Godsey, John M. Godsey.

Mr. Glenn moved that the Speaker appoint a special committee of three to act with a similar committee of five from the House of Representatives, to consider said message and accompanying papers, and that said message be referred to said special committee.

And the question being taken thereon, it was decided in the affirmative.

Whereupon the Speaker appointed Messrs. Breckinridge, Hendrick and Stewart such committee on the part of the Senate.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, April 28, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Wm. C. Bradley, Campbell county.
O. H. Bolton, Bullitt county.
Frank A. Gerst, Jefferson county.
Wallace W. Justice, Powell county.
Hancock T. Hord, Jefferson county.
William E. Haddox, Jefferson county.
J. W. Walker, Johnson county.
W. A. Whitcomb, Bath county.
Frederick Wise, Kenton county.
H. P. McCormack, Logan county.
H. J. Nannhheim, Daveiss county.
W. H. Owen, Jefferson county.
W. F. Paxton, McCracken county.
E. H. Patterson, Bell county.
Miss Jessie F. Pierce, Jefferson county.
J. L. Prichard, Boyd county.
O. H. Pollard, Lee county.
E. A. W. Roberts, Franklin county.
Geo. W. Redman, Taylor county.
W. E. Costellow, Knox county.
W. M. Oliver, Marshall county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Citizens' Electric Light, Power and Gas Light Company, of Louisa.

An act to punish trespassing upon the inclosures of citizens of Hopkins and Christian counties.

An act to amend the charter of the Louisville Gas Company.

An act to amend an act, entitled "An act to incorporate the Paducah, Cairo and Southwestern Railroad Company," approved February 24, 1888.

Mr. McCann, from the Committee of Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act in relation to telegraph and telephone companies,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. Any telegraph or telephone company chartered or incorporated by this or any other State shall have the right to construct lines for the transmission of intelligence by electricity over, along and upon any of the public roads and highways and across any of the waters of this Commonwealth by the erection of posts, piers, abutments, and other fixtures (except bridges) necessary to sustain the wires of its lines, but shall not incommode the public use of highways or public roads, nor endanger or interrupt the navigation of any waters.

§ 2. This act shall take effect from and after its passage.

Mr. Wright moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

On motion of Mr. Glenn—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Frankfort Coal and Iron Mining, Oil, Salt and Timber Company ;

An act to amend an act, entitled "An act to incorporate the Clifton and Reservoir Park Railroad Company ;

An act to dispose of the stock owned by the State of Kentucky in the Springfield and Bardstown Turnpike Road Company ;

An act to incorporate the St. Patrick's Total Abstinence Society of the Church of St. James, Brooksville, Kentucky ;

An act to charter the Mt. Pleasant Cemetery Company, in Ballard county ;

An act to amend an act, entitled "An act to incorporate the Campbell County Protestant Children's Home," approved April 3, 1884 ;

An act to amend an act, entitled "An act to prevent farm stock from running loose within the corporate limits of the town of Ghent ;"

An act to incorporate the town of Lily, in Laurel county ;

An act to change the county line between the counties of Lee and Estill ;

An act to amend an act, entitled "An act to prevent distillers from emptying their slop and offal into Hickman creek, in Jessamine county ;

An act to incorporate the Falmouth Electric Light, Heating and Motor Power Company ;

An act for the benefit of the Paducah Jockey Club and Fair Association, at Paducah, Kentucky ;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to further regulate the retail traffic in spirituous, vinous and malt liquors, and nostrums used as a beverage,' " approved April 26, 1886 ;

An act to amend the charter of the Evansville Bridge Company ;

An act to incorporate the "Bank of Hazel Green," at Hazel Green, Kentucky ;

An act for the benefit of Walter F. Park and wife, of Estill county ;

An act to incorporate the United Hebrew Relief Association of Louisville ;

An act to prohibit the sale and use of spirituous, vinous and malt liquors in Knott county ;

An act to Authorize Geo. C. Perry, or his assigns, to erect a mill-dam across Greasy creek, in Johnson county ;

An act to amend the charter of the town of California, in the county of Campbell ;

An act to provide for the registration of voters in the county of Powell ;

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, in the town of Danville, Boyle county, or within two miles of the limits thereof," approved April 19, 1886 ;

An act to incorporate the Bank of Garfield, at Prestonsburg, in Floyd county ;

An act to incorporate the Masonic Temple Company, of Richmond, Kentucky ;

An act to amend an act to incorporate the Cumberland Railroad Company ;

An act to authorize the Hardin County Court to levy an ad valorem tax ;

An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Pendleton county ;

An act authorizing and empowering the Court of Levy for Bracken County to subscribe and take stock in certain turnpike roads ;

An act declaring Little Barren River a lawful fence from its mouth to Osceola, in Green County ;

An act to Authorize the Wolper Creek Turnpike Road Company to collect toll, when the bridge is out of repair, provided they make a good passway around the same ;

An act to incorporate the Pleasant Grove Cemetery Company ;

An act to incorporate the Hebron and Burlington Turnpike Road Company;

An act for the benefit of W. M. Callis, of Trimble County;

An act to distribute the surplus fund in Turnpike District No. 1, in Hardin county;

An act to amend an act, entitled "An act to incorporate the city of Paris," which became a law March 28th, 1890;

An act to amend "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1882;

An act to promote to the Study of Medicine and Surgery in the Commonwealth of Kentucky;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to require the lessees of railroads in this State to have the contract of lease recorded;

An act to make the offices of deputy clerk of the Daviess County Court and county surveyor of said county compatible;

An act prescribing the duties of fiduciaries;

An act regulating the sale of vinegar;

An act to amend section 10 of the Civil Code of Practice;

An act to incorporate the Trenton Rock Natural Gas, Mining and Manufacturing Company, of Henderson county, Kentucky;

An act supplementary to and to amend an act, entitled "An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city," approved March 13, 1872;

An act to incorporate the "Belt Railway Company," of Owensboro;

An act to incorporate the "Kentucky Fire Insurance Company;"

An act for the benefit of John Owens, of color;

An act to amend an act, entitled "An act to amend the charter of the Mechanics' Savings Bank and Trust Company," approved 11th March, 1890;

An act to incorporate the Cannon Creek Mining and Lumber Company;

An act to authorize the county of Cumberland to subscribe aid to the Burksville and Northwestern Railroad Company;

An act to amend an act, entitled "An act to repeal the charter and reincorporate the town of Hodgenville, in Larue county," approved March 17, 1870 ;

An act in relation to the subscription by the county of Bourbon for the capital stock of the Kentucky Midland Railway Company ;

An act to repeal an act, entitled "An act to prohibit the sale, loan, barter, or traffic in spirituous, vinous or malt liquors in Todd county, and submit the same to the voters of said county ;"

An act authorizing Mason county to levy a tax in aid of common schools in said county ;

An act for the benefit of the city of Louisville ;

An act to amend the charter of the Louisville and Nashville Railroad Company, approved March 5, 1850 ;

An act to establish an additional justice of the peace district in Mason county ;

An act to amend the charter of the Louisville Water Company ;

Resolution providing for the *sine die* adjournment of the General Assembly ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Gates, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act for the appointment of official reporters for the Fourth Judicial District, composed of the counties of Daveiss, McLean, Ohio and Hancock, and for the preservation of evidence in certain cases,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Poyntz proposed an amendment to said bill,

Which was adopted.

On motion of Mr. Gates—

Ordered, That said bill be recommitted to the Committee on Courts of Justice.

And then the Senate adjourned.

WEDNESDAY, APRIL 30, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the House of Representatives, entitled

An act regulating the annual allowance to pauper idiots, and providing for the payment of the same.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Courts of Justice.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act providing for Commissioners for that part of the Covington and Lexington Turnpike Road, lying south of Walton, in Kenton County;

An act to amend an act, entitled "An act to incorporate the Jellico Mountain Coal and Coke Mining and Transportation Company;

An act to prevent false timing at trotting contests, in the Commonwealth of Kentucky ;

An act to incorporate the town of Zion, in Henderson County, Kentucky ;

An act to incorporate the Three Forks Belt Line Railroad Company ;

An act to amend the charter of the town of Glasgow Junction, in Barren County ;

An act to incorporate the Cloverport Bank and Trust Company ;

An act to further amend the act to incorporate the town of New Castle, in Henry County ;

An act to prevent the sale of spirituous, vinous, or malt liquors within a radius of one mile of Catawba Baptist Church, in Pendleton County ;

An act to incorporate the Mutual Savings Bank, of Louisville, Kentucky ;

An act to incorporate the Deposit Bank of Stanton, at Stanton, Powell county ;

An act to incorporate the Nelson County Trust Company ;

An act to incorporate an institution of learning, at the town of Monroe, Hart county, under the name and style of Monroe Institution of Hart County ;

An act to incorporate the Mt. Sterling Water Works Company ;

An act to prohibit the sale of whisky within three miles of the town of Bernstadt, in Laurel county ;

An act to authorize T. J. Fraley to erect a mill dam across John's Creek, in Floyd county ;

An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinuous or malt liquors shall be sold within said town ;

An act to incorporate the Mechanics' Bank and Trust Company, of Mt. Vincent, Kentucky ;

An act to incorporate the Cane Ridge and Rogers Creek Turnpike Company, in Bourbon county ;

An act to permit magisterial districts in the county of Boone, to vote on bridge tax and build bridges ;

An act for the benefit of the Kentucky Institute for Deaf Mutes ;

An act to amend an act, entitled "An act to amend an act, entitled, "An act to regulate the sale of spirituous vinuous, and malt liquors in Woodford county," which became a law April 21, 1888, and the act amendatory thereof, approved April 27, 1888, which act was approved April 3, 1890 ;

An act to amend act, entitled "An act to repeal the charter of the city of Henderson and the acts amendatory thereto, and to re-incorporate the said city of Henderson," approved April 9, 1888 ;

An act to authorize the sale of Mill Grove and Kirksville Turnpike road, in Madison county, and its franchises and privileges ;

Resolution asking an appropriation from Congress for the improvement of Licking river ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Waco and Richmond Railway Company ;

An act to amend the charter of the Somerset Street Railway Company ;

An act to incorporate the Lancaster, McKee and Middlesborough Railroad ;

An act to incorporate the Campbellsville, Elkhorn and Manns-ville Turnpike Road Company, in Taylor county ;

An act for the benefit of David Kirby, of Warren county ;

An act to establish and maintain a public graded school in Eden, Martin county ;

An act authorizing the clerk of the Hardin County Court to grant and issue licence for stud horses in certain cases for the year 1889 ;

An act to authorize the city of Mt. Sterling to sell four feet of land ;

An act to amend an act, entitled "An act to incorporate the Lebanon Water-works Company ;

An act to establish an additional voting precinct in Hopkins county ;

Resolution providing for the appointment of a committee to investigate the drainage of the lunatic asylum at Anchorage ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Wright moved the following resolution, viz :

Resolved, That after Monday, the fifth day of May, 1890, that no local or special act shall be received or passed except by unanimous consent.

Which, under the rules, lies one day on the table.

Mr. Wright moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The question being then taken on the adoption of said resolution, it was decided in the affirmative.

Mr. Darby moved the following resolution, viz :

Resolved, That hereafter the daily sessions of the Senate shall begin at 10 o'clock A. M.

The rule of the Senate requiring said resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives of bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of the tax-payers of Logan county.

An act for the benefit of John H. Phelps, alias John H. Nicholson, of the county of Bullitt.

Which was granted, and said bills delivered to the messenger.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to survey and locate the boundary line between the county of Warren and the counties of Edmonson, Butler, Logan, Simpson, Allen and Barren,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Gates, from the Committee on Courts of Justice, to whom was recommitted a bill, which originated in the Senate, entitled

An act for the appointment of official reporters for the Fourth Judicial District, composed of the counties of Daveiss, McLean, Ohio and Hancock, and for the preservation of evidence in certain cases,

Reported the same without amendment.

Mr. Gates moved to reconsider the vote by which the Senate had on yesterday adopted the amendment proposed by Mr. Poyntz to said bill,

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Darby, from the Committee on Codes of Practice, to whom was referred leave to bring in a bill, entitled

An act to further define the jurisdiction and powers of courts of equity in actions to quiet title to land,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any person having the legal title to land, whether in the actual possession thereof or not, may, if same be not in the actual adverse possession of another, prosecute action in equity in the county in which the land, or a greater part thereof, may lie, against any person setting up claim thereto, or claiming to have or own any interest therein, or lien or encumbrance thereon, for purpose of determining the validity of such claim of title, interest, lien or encumbrance. If the legal and equitable title be not in same person, the holder of the equitable title shall be a party, either plaintiff or defendant. The court shall adjudicate and settle such of these questions as may, by either party be presented in the pleadings, require proper releases and conveyances, and adjudge possession to the party entitled thereto, and give costs as in other equitable actions: *Provided, however*, That plaintiff shall recover no costs against such defendant, as shall, by original answer, disclaim the title, interest, claim or encumbrance which he is alleged to be claiming.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Darby and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
F. W. Darby,	Jas. H. Mulligan,	G. Terry—8.
Sam E. English,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	William Goebel,	Chas. Patteson,
Ben F. Bradley,	John K. Hendrick,	B. F. Reynolds,

B. F. Cockrell,	John R. Kemp,	Phil Roberts,
Reuben Conner,	William Lindsay,	A. H. Stewart,
W. W. Dickerson,	J. H. Lunsford,	J. S. Wortham,
G. W. Gates,	D. L. May,	D. W. Wright—20.
T. L. Glenn,	John P. Newman,	

So said bill was rejected.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Terry—

1. A bill to amend the charter of the town of Kirkmonsville, Todd county, passed April 7, 1882.

On motion of Mr. Wortham—

2. A bill to repeal section 5 of an act, entitled “An act to incorporate the Paducah Woodenware Manufacturing Company, of the city of Paducah.”

On motion of Mr. Conner—

3. A bill to incorporate the Louisville, Covington and Cincinnati Railroad Company.

On motion of Mr. Hays—

4. A bill to amend chapter 112, General Statutes, title “Weights and Measures.”

On motion of Mr. Anderson—

5. An act to incorporate the Banking House of Wilson & Muir.

On motion of Mr. McCann—

6. An act to provide for establishment of public parks in and adjoining the city of Louisville, Kentucky, and the improvement and management of same.

Ordered, That the committee on General Statutes prepare and bring in the 1st and 5th ; the Committee on Lotteries the 2d ; the Committee on Railroads the 3d ; the Committee on Courts of Justice the 4th, and the Committee on Privileges and Elections the 6th.

Mr. Darby, from the Committee on Codes of Practice, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend title 9, chapter 2, subdivision 3, of Civil Code of Practice, title “Verdict,”

Reported the same with an amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That sections 326, 327 and 328 of the Civil Code of Practice, and an act, entitled "An act to amend chapter 2, title 9, of the Civil Code of Practice, by repealing certain portions thereof," approved May 15, 1386, be, and the same are hereby, repealed, and the following sections are adopted in lieu thereof respectively :

§ 326. The verdict of a jury is either general or special. A general verdict is that by which they find, generally, upon all or any of the issues, either in favor of plaintiff or defendant. A special verdict is that by which they find the facts only, and must present the facts as established by the evidence (and not the evidence to prove them), in such way that nothing remains for the court but to deduce from them conclusions of law.

§ 327. Unless otherwise directed, the jury, in their discretion, may render a general or special verdict; but the court may direct a general verdict only, or, upon or of its own motion, may, in its discretion, direct the finding upon particular questions of fact, to be stated in writing, which questions of fact so stated, and the finding as to each, shall be recorded.

§ 328. When the special finding of fact is inconsistent with the general verdict the former controls, and the court will render judgment accordingly.

§ 2. This act shall be in force from its passage.

The amendment proposed by the committee reads as follows, viz :

Amend section 327 by inserting after the word "upon," in line three, the following words, viz : "Motion of a party," and by adding to said section the following words, viz : "Only such questions shall be submitted as may ascertain the material facts in issue."

Mr. Goebel moved to lay said bill and amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. P. Huff,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	James H. Mulligan,	B. F. Reynolds,
Reuben Conner,	J. W. McCain,	Phil Roberts,
G. W. Gates,	Jno. P. Newman,	J. S. Wortham—19.
William Goebel,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	D. L. May,
F. W. Darby,	John K. Hendrick,	G. Terry,
W. W. Dickerson,	William Lindsay,	D. W. Wright—9.

So said bill was rejected.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled “An act to incorporate the Paris Electric Light Company, in Bourbon county,” approved May 9, 1884,

Together with the message of the Governor vetoing the same.

Said bill reads as follows, viz :

WHEREAS, George G. White, James M. Thomas, Wm. Tarr, John C. Brent and B. F. Remington, by writing, assigned and transferred all the rights, powers, privileges and franchises conferred upon and granted to them, under and by virtue of an act of the General Assembly of the Commonwealth of Kentucky, entitled “An act to incorporate the Paris Electric Light Company, in Bourbon county,” approved May 9, 1884, to George S. Varden, Elias Bishop, John Webb and Emmet M. Dickson ; and whereas, the said assignees and a large number of other persons became subscribers for stock in said company, and an organization of said company was effected under the said act of incorporation by such subscribers at the law office of Emmet M. Dickson, in Paris, Kentucky, on the twenty-eighth day of November, 1889, at which time the following-named persons were elected as officers of said company, to-wit: George S. Varden, president ; T. Earl Ashbrook, vice [president ; John Webb, Jr., treasurer, and R. B. Hutchcraft, John B. Northcutt, B. F. Perry, Gus Fee and Dan. Roche, directors ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the said assignment and transfer by the persons named as incorporators in the said act of the General Assembly of the Commonwealth of Kentucky incorporating the Paris Electric Light Company is hereby declared legal and valid, and the said George S. Varden, Elias Bishop, John Webb and Emmet M. Dickson are hereby vested with all the rights, powers, privileges and franchises as that conferred upon the persons named in said original act of incorporation.

§ 2. That the organization of said company at the time and place, and in the manner set out in the foregoing preamble be, and the same is hereby, declared legal and valid.

§ 3. This act shall be in force from and after its passage.

Said veto reads as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, April 12, 1890. }

Gentlemen of the House of Representatives :

I respectfully return, without my approval, a bill entitled, "An act to amend an act, entitled 'An act to incorporate the Paris Electric Light Company, in Bourbon county,' " approved May 9, 1884.

The preamble to the bill recites that a number of the grantees under the original charter have, "by writing, assigned and transferred all the rights, powers, privileges and franchises conferred upon and granted to them," by the act of 1884, above cited, "to George S. Varden, Elias Bishop, John Webb, and Emmet M. Dickson," and that these assignees and other parties became subscribers to the stock, and effected an organization of the company at the office of Emmet M. Dickson on November 28, 1889, and elected certain officers ; that, therefore, as enacted in section 1 of this bill, the "said assignment and transfer," by the persons named, "is hereby declared legal and valid," and that the assignees above named "are hereby vested with all the rights, powers, privileges and franchises as that conferred upon the persons named in said original act of incorporation."

The second section further declares "that the organization of said company at the time, place, and in the manner set out in the foregoing preamble, be, and the same is hereby, declared legal and valid.

As the assignees are invested with all the powers and privileges granted to the first beneficiaries by the act of 1884, a reference to the original charter is desirable. The fourth section of that charter required an annual election of directors, to be held "at the office of the company, in the city of Paris, on the second Saturday in January of each year." From the preamble of the proposed amendment, it may be inferred that the company had no office ; that there had been no election of directors, but that five of the seven original corporators, in their individual capacity, disposed of their assumed rights to four other individuals, who thereafter, in connection with others,

effected an organization, which it is now sought to legalize by this amendment.

The sixth section of the original charter authorized the company "to lay its pipes and mains, to erect its poles, posts and wires through and along any street or highway in the city aforesaid, or adjacent thereto, as it may deem fit," there being no provision subjecting this right to the action of the city authorities.

The sixth section authorizes the city of Paris to take stock in the Company, but forbids its right to control the company by limiting its subscription to one-third of the capital stock.

The fifth section declares "that the business of said Company is limited to furnishing and supplying the city of Paris and its inhabitants, and persons and corporations located near to said city, with light and motive power generated by electricity, steam or other artificial means, or to the furnishing and supplying either said light, power or heat," and further provides "that the body hereby incorporated shall have the exclusive privilege of conducting the business above described within and adjacent to said city for the term of twenty-five years from the organization of this company."

The history of the proceedings under this charter illustrates the different theories entertained in regard to the object of such grants. The theory of the constitution is that they are for a public use, and the people have forbidden, in that instrument, that their property and rights shall be taken away, except for the good of society at large, and then society was to make just compensation to the individual injuriously affected. But the theory of these corporators seems to be, and the Legislature of 1884 appear to have adopted that theory, that the rights and property of the people can be donated by a legislative body to a few select individuals, who are incorporated for the sole purpose of being the recipients of this bounty, with the privilege of trafficking in the rights of a whole community.

In pursuance of this theory, it appears from the preamble to the proposed amendment to the original charter, that the corporators did not consider themselves under any obligation to erect works for the public benefit, but regarded themselves as the recipients of a valuable donation; and that having awaited

for six years to receive a price for franchises given to them, without exacting any public service in return, they have now effected a sale and ask the present General Assembly to ratify the bargain, and to impose, for the pecuniary interests of these few individuals, upon an entire community, whose rights do not seem to have been worthy of being considered, an oppressive monopoly for a period of twenty-five years from November 28, 1889.

The charter, from its inception, seems to have been purely speculative, benefiting the few at the expense of the many; and its re-adoption by the present General Assembly seems to to have been sought, not by stating in terms its extraordinary privileges, but rather by conceding those privileges by a mere reference to a past enactment which was not immediately in view.

This bill will doubtless receive, at your hands, the same treatment which was awarded to its twin brother, of Fayette county, a few days ago.

Respectfully,

S. B. BUCKNER.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	Phil Roberts,
Sam E. English,	James H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	G. Terry,
William Goebel,	John McCann,	J. S. Wortham,
R. G. Hays,	John P. Newman,	D. W. Wright—29.
John K. Hendrick,	Chas. Patteson,	

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	John R. Kemp—5.
R. J. Breckinridge,	T. L. Glenn,	

Resolved. That the title of said bill be as aforesaid.

Mr. Darby, representing the minority of the special committee appointed to investigate the Eddyville prison, reported a bill, entitled

An act to provide for completion and preparation for use as a prison of the Branch Penitentiary at Eddyville, and to further regulate same and the Penitentiary at Frankfort,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Darby—

Ordered, That said bill be referred to the Committee on Penitentiary and House of Reform, with leave to report at any time.

Mr. Lindsay presented the petition of sundry citizens of Washington county, praying the passage of an act amending the act recently passed by the General Assembly, changing and defining the boundary lines between Washington, Mercer and Anderson counties, so that said act shall not be in force until submitted to and ratified by a vote of those transferred from Washington county to Anderson and Mercer counties by said act aforesaid,

Which petition was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz:

By Mr. Goebel, from the Committee on Courts of Justice—

An act to establish an additional voting place in Daveiss county.

By same—

An act to establish a city government for the town of Catlettsburg, in Boyd county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court

levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads," approved April 3, 1890.

By same—

An act to incorporate the Catlettsburg Water Company.

By same—

An act to authorize the county levy courts of Floyd and Johnson counties to provide for the payment of the cost of printing copies of the road laws for distribution in said counties.

By same—

An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church South.

By same—

An act to incorporate the Peoples' Supply Gas Company, in Boyd county.

By same—

An act to incorporate the Louisa Water Company.

By same—

An act to amend and change the boundary lines of the corporate limits of the town of Mount Pleasant, in Harlan county.

By same—

An act for the benefit of William Yowell, marshal of Lebanon.

By Mr. McCann, from the same committee—

An act for the benefit of L. M. Hazelip, Judge of Edmonson County Quarterly Court.

By same—

An act to incorporate the Prestonsburg Electric Light Company.

By same—

An act to incorporate the Prestonsburg Water-works Company.

By same—

An act to amend an act, entitled "An act to protect passengers and steamboatmen on the Big Sandy river," approved April, —, 1890.

By same—

An act to repeal the amendment to any act authorizing the

Floyd County Court to levy a poll and ad valorem tax to pay for public buildings in said county, which was approved May 5, 1884.

By same—

An act to amend an act, entitled “An act to amend and reduce into one the several acts in regard to the town of Grayson, in Carter county.”

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to amend and reduce into one the acts incorporating the town of Louisa,’” approved March 11, 1869, and the acts amendatory thereof, approved May 3, 1884.

By same—

An act to incorporate the Red House and Four-mile Turnpike Road Company.

By same—

An act to incorporate the town of South Park, in Jefferson county.

By same—

An act to incorporate the Lexington Canning Company.

By same—

An act providing punishment for vagrants in Marion county.

By same—

An act for the benefit of the Ohio county and circuit clerks of Ohio county.

By same—

An act to change the name of the county seat of Elliott county, and to repeal an act, entitled “An act to change the name of the county seat of Elliott county,” approved February 13, 1888.

By same—

An act to authorize the city of Owensboro to exempt from city taxation certain machinery, raw materials and manufactured articles.

By Mr. Gates, from the same committee—

An act to provide for the election of a board of auditors for the town of Central City, Muhlenburg county, Kentucky, and to define the duties of said board.

By same—

An act to amend an act, entitled “An act to authorize and empower Muhlenburg county to fund its outstanding bonded indebtedness,” approved March 18, 1878.

By same—

An act for the benefit of Common School District No. 75, in Lewis county.

By same—

An act relating to the working of the public roads in Daveiss county.

By same—

An act to amend an act, entitled “An act to incorporate the town of McHenry.”

By same—

An act to amend the charter of the city of Cynthiana, Kentucky.

By Mr. Patteson, from the same committee—

An act for the benefit of the clerk of the Washington County Court.

By Mr. Darby, from the committee on Codes of Practice—

An act for the benefit of the sureties of Geo. S. Adamson, late sheriff of Bracken county.

By same—

An act to incorporate the Stone Lick Turnpike Road, in Bracken county.

By same—

An act to change the time of holding the quarterly court in Caldwell county.

By same—

An act for the benefit of R. L. Ricketts and John W. Caseldine, allowing R. L. Ricketts to wind up the affairs of A. R. Ricketts, deceased, as sheriff, and allowing them further time.

By Mr. Peterman, from the Committee on Education—

An act to amend an act to incorporate and establish a system of public schools in District No. 49, in Logan county, including the town of Adairville, passed March 24, 1888.

By same—

An act to authorize the trustees of Greenville Seminary to sell and convey the Greenville Seminary lot and appurtenances,

and to turn the proceeds and other assets of said seminary over to the trustees of common school district No. 14, of Muhlenberg county, for certain purposes.

By same—

An act to establish and maintain a graded free school in common school district No. 38, in Marshall county.

By same—

An act for the benefit of J. J. Stephens and Mrs. Lucy Scott, of common school district No. 55, Boone county.

By same—

An act to amend an act, entitled "An act to incorporate an institution of learning in or near Cadiz, in the county of Trigg," approved April 16, 1888.

By same—

An act for the benefit of Common School District No. 74, Barren county.

By same—

An act to amend an act, entitled "An act for the benefit of Common School District No. 25, in Oldham county, and amendments thereto."

By Mr. Berry, from the Committee on Federal Relations—

An act to amend the charter of the Union County Fair Company and the amendment thereto, approved February 29, 1888.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to further regulate municipal elections in the city of Covington.

By Mr. Darby, from the Committee on Codes of Practice—

An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884.

By same—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

By Mr. Berry, from the Committee on Federal Relations—

An act requiring the road supervisors of Henderson county to be elected by a direct vote of the people.

By Mr. McCann, from the Committee on Courts of Justice—

An act in relation to roads and bridges in Boyd county,

With amendments to the five last-named bills.

Which were adopted.

Ordered, That said bills, the five last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Goebel moved to reconsider the vote by which the Senate had passed last-named bill.

Which motion was simply entered.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. McCann, from the Committee on Courts of Justice—

An act to incorporate the city of Maysville, in Mason county.

By Mr. Darby, from the Committee on Codes of Practice—

An act for the benefit of Poplar Plains and Tilton Turnpike Road Company of Fleming county.

By same—

An act in relation to the subscription by Warren county to the capital stock of the Bowling Green and Northern Railroad Company.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Bedford common school district No. 6, white, in Trimble county.

By same—

An act to amend an act, entitled “An act to incorporate the Kentucky Chautauqua Assembly,” approved January 25, 1888.

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the city of Louisville (as to city courts).

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Newman moved to reconsider the vote by which the Senate had passed the last-named bill,

Which motion was simply entered.

A message was received from the House of Representatives, asking leave to withdraw from the Senate, the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend section 15, of article 15, of article 1, chapter 5, of the General Statutes.

Mr. Breckinridge objected to granting said request.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

Mr. Breckinridge moved that the further consideration of said bill be postponed indefinitely.

Mr. Peterman moved that the further consideration of said bill be postponed until Friday, May 2, 1890, and that said bill on that day be referred to the Committee of the Whole on the state of the Commonwealth.

Mr. Dickerson moved to amend the motion made by Mr. Peterman by striking out "Friday, May 2," and inserting in lieu thereof "Wednesday, May 7."

Mr. Peterman moved that when the Senate adjourns for the day that it be to meet on to-morrow at 10:45 o'clock A. M.

Pending the consideration of said motion, the hour of one o'clock P. M. having arrived, the Senate then adjourned, and further action on the bill was cut off.

THURSDAY, MAY 1, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to repeal an act, entitled "An act to provide additional salary for the circuit judge of the Tenth Judicial District," approved May 17, 1886.

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act appropriating to the support of the Home of the Friendless, located in Louisville, Kentucky, fifty per cent. of all fines recovered and collected of houses of ill-fame in said city.

An act to call a convention to amend or change the Constitution of the State of Kentucky.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company," approved March 19, 1873.

An act to incorporate the Louisville, St. Louis and Nashville Railway Company.

.That they had passed, with amendments thereto, bills which originated in the Senate of the following titles, viz :

1. An act in relation to the management of trains where railways cross each other.

2. An act to incorporate the Cincinnati and Kentucky Railroad Company.

3. An act to incorporate the Campton and Hazel Green Turnpike Company.

4. An act requiring safety gates and a watchman to be kept at the crossing of the Covington Short Route Transfer Railway and Madison avenue, in the city of Covington.

Ordered, That said bills, together with the amendments thereto, be referred—the 1st and 2d to the Committee on Railroads; the 3d to the Committee on Religion and Morals, and the 4th to the Committee on Courts of Justice.

That they had adopted a joint resolution and passed bills, viz:

1. Resolution appropriating money to repair the Clay monument.

2. An act to incorporate the Louisville and Hodgenville Railway Company.

3. An act to incorporate the Central Kentucky and Ohio River Railroad Company.

4. An act to amend the charter of the Kentucky Female Orphan School, located at Midway, Woodford county.

5. An act to amend an act, entitled "An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company," approved March 26, 1888.

6. An act to incorporate the Westpoint and Louisville Railroad Company.

7. An act to incorporate the Cincinnati, Covington and Rose-dale Railway Company.

8. An act to amend an act, entitled "An act to incorporate the Frankfort, Carrollton and Madison Railroad Company."

9. An act to incorporate the Fordsville, Hartford and South-western Railroad Company.

10. An act to incorporate the Pineville, Mt. Pleasant and Big Stone Gap Railway Company.

11. An act to incorporate the Fredonia and Jackson Railroad Company.

12. An act to incorporate the Kentucky and Cumberland Railroad Company.

13. An act to amend an act, entitled "An act to make provision for establishment of water-works in the city of Stanford, and authorize the city council of the city of Stanford to issue bonds to aid in the establishment of water-works for said city, and to provide for the payment of the principal and interest of said bonds."

14. An act to amend an act, entitled "An act to incorporate the Litchfield, Big Spring and Northern Railroad," approved April, 1890.

15. An act for the benefit of school district No. 7, of Trigg county.

16. An act to incorporate the Barbourville Belt Line Railway Company.

17. An act to incorporate the Woman's Christian Temperance Union of Hawesville.

18. An act to incorporate the Fidelity Building and Loan Association of Bowling Green.

19. An act to incorporate the Quick Transit Passenger Company.

20. An act to incorporate the Eminence and Drennon Springs Railroad Company.

21. An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company," approved March 10, 1888.

22. An act to amend an act to prescribe the liabilities of railroad companies to the owners of stock killed or injured in the counties of Ballard and Carlisle.

23. An act to amend chapter 398, an act, entitled "An act to incorporate Middlesborough Street Railroad Company."

24. An act to amend an act, entitled "An act to prescribe the liability of railroad companies to the owners of stock killed or injured by railroad cars or their agents in the counties of Ballard and Carlisle," approved April 4, 1890."

25. An act to incorporate the Louisville, Somerset and Jellico Southern Railroad Company.

26. An act to provide for a registration of voters in the city of Covington.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said resolution and bills being dispensed with,

They were referred—the 1st to the Committee on Claims; the 2d, 3d, 5th, 6th, 8th, 9th, 10th, 11th, 12th, 14th, 16th, 20th, 21st, 22d and 25th to the Committee on Railroads; the 4th and 15th to the Committee on Education; the 7th and 19th to the Com-

mittee on Immigration and Labor; the 13th to the Committee on the Judiciary; the 17th, 22d and 24th to the Committee on General Statutes; the 18th to the Committee on Banks and Insurance, and the 26th to the Committee on Courts of Justice.

Mr. Patterson, from the Committee on Claims, to whom was referred joint resolutions, which originated in the House of Representatives, of the following titles, viz:

Resolution for the benefit of John B. Carlisle, of Marion county,

Resolution for the benefit of J. T. Flanagan, of the county of Marion,

Reported the same with the expression of opinion that said resolutions ought to be concurred in.

And the question being taken on concurring in the adoption of said resolutions, it was decided in the affirmative.

Resolved, That the title of said resolutions be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of J. B. Williams, of the county of Marion,

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, J. B. Williams, of Marion county, Kentucky, did, in the year 1888, as trustee of Mary and Lucy Mattingly, furnish to said Mary and Lucy Mattingly merchandise amounting to one hundred and fifty dollars under judgment of the Lebanon Police Court, rendered on the seventh day of October, 1887, by which said Mary and Lucy Mattingly were adjudged to be idiots; and whereas, no part of said sum has ever been paid to said J. B. Williams by the State of Kentucky; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury in favor of said J. B. Williams for the sum of one hundred and fifty dollars.

2. This resolution shall take effect from and after its passage.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	D. L. May,
W. F. Berry,	T. L. Glenn,	J. W. McCain,
Ben F. Bradley,	R. G. Hays,	John P. Newman,
R. J. Breckinridge,	J. B. Hannah,	Chas. Patteson,
B. F. Cockrell,	John K. Hendrick,	A. H. Stewart,
F. W. Darby,	John R. Kemp,	J. S. Wortham,
W. W. Dickerson,	J. H. Lunsford,	D. W. Wright—21.

In the negative—none.

Resolved, That the title of said resolution be as aforesaid.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Thomas E. Green, clerk of the Taylor circuit court.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts, be, and he is hereby authorized and directed, to draw his warrant upon the Treasurer of this State for the sum of \$99.45, in favor of Thos. E. Greene, as compensation to said Greene, for services rendered by him as Clerk of the Taylor Circuit Court, in the prosecution in said court against Thos. J. Hourigan, for murder, which shall be in full compensation for all services rendered, and to be rendered in said case, in the years 1889 and 1890, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act is to take effect from and after its passage.

Mr. Glenn moved to lay said bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Patteson, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	J. H. Lunsford,
B. F. Cockrell,	J. P. Huff,	G. Terry,
F. W. Darby,	John R. Kemp,	J. S. Wortham—10.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
R. J. Breckinridge,	J. W. Martin,	J. J. Paul,
Reuben Conner,	D. L. May,	A. L. Peterman.
W. W. Dickerson,	John McCann,	A. H. Stewart—15.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John P. Newman,
R. J. Breckinridge,	William Goebel,	Chas. Patteson,
Reuben Conner,	John McCann,	A. H. Stewart—10.
Sam E. English,		

Those who voted in the negative, were—

Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
B. F. Cockrell,	J. P. Huff,	J. M. Pieratt,
F. W. Darby,	J. H. Lunsford,	G. Terry,
T. L. Glenn,	J. W. Martin,	J. S. Wortham—14.
R. G. Hays,	D. L. May,	

So said bill was rejected.

A message was received from the House of Representatives asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend section 15 of article 1, chapter 5, of the General Statutes.

Mr. Breckinridge objected to granting said request.

Mr. Glenn moved that the request of the House of Representatives be granted.

Mr. Breckinridge moved that the further consideration of said motion be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Glenn and Darby, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. W. McCain,
W. F. Berry,	G. W. Gates,	John McCann,
Ben F. Bradley,	William Goebel,	John P. Newman,
R. J. Breckinridge,	J. B. Hannah,	Chas. Patteson,
B. F. Cockrell,	John K. Hendrick,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	D. W. Wright—20.
W. W. Dickerson,	D. L. May,	

Those who voted in the negative, were—

F. W. Darby,	J. H. Lunsford,	A. H. Stewart,
T. L. Glenn,	J. W. Martin,	G. Terry,
R. G. Hays,	J. J. Paul,	J. S. Wortham—11.
J. P. Huff,	B. F. Reynolds,	

Mr. Patteson, from the Committee on Claims, read and laid on the table the following joint resolution, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky: 1. That the Auditor is hereby instructed to draw his warrant on the Treasurer in favor of B. F. Reynolds, C. B. Poyntz, J. H. Shearer, and J. W. McCain for the sum of fifteen dollars each, as members of joint committee on the part of the Senate to visit and investigate the Branch Penitentiary at Eddyville, for their expenses incurred in the discharge of the duties assigned them, to be paid out of any money in the Treasury not otherwise appropriated.

2. This resolution to take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Patteson, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of B. M. Rice and Jesse Pittman, assistant elisors of Muhlenberg county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, B. M. Rice and Jesse Pitman were, by orders of the Muhlenberg Circuit Court, appointed deputy or assistant elisors of said county of Muhlenberg in the year 1889; and whereas, the said B. M. Rice served in that capacity eighteen days at the April term of the Muhlenberg Circuit Court and eighteen days at the October term of said court; and whereas, said Jesse Pittman served as deputy or assistant elisor for said county eighteen days at the April term of the Muhlenberg Circuit Court and eighteen days at the October term of said court, for which said services they have received no compensation; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of B. M. Rice for fifty-four dollars, and that said Auditor draw his warrant upon said Treasurer in favor of Jesse Pittman for fifty-four dollars, which shall be paid out of any funds in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	A. H. Stewart,
W. W. Dickerson,	J. W. McCain,	G. Terry,
G. W. Gates,	John McCann,	J. S. Wortham—23.
T. L. Glenn,	John P. Newman,	

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Newman, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Newman moved to reconsider the vote by which the Senate had passed said bill.

Mr. Newman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of G. W. Hunter,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

WHEREAS, G. W. Hunter, on the written request of J. Proctor Knott, then Governor of Kentucky, arrested and caused to be brought to trial Amelia Warner, Bryce Mills, Alabama Mills, Riley Smith and Clayton Jackson, charged with murder and arson, in Knox county, Kentucky, and has heretofore received no compensation; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That G. W. Hunter is hereby allowed the sum of two hundred dollars for securing the arrest and prosecution of Bryce Mills and others, charged with murder and arson, in the county of Knox, that the Auditor of Public Accounts is authorized to draw his warrant in favor of G. W. Hunter for said sum, to be paid out of any money not therein appropriated.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, for the want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Wm. Goebel,	John P. Newman,
F. W. Darby,	R. G. Hays,	Chas. Patteson,
W. W. Dickerson,	J. W. Martin,	J. J. Paul,
Sam E. English,	J. W. McCain,	A. L. Peterman,
G. W. Gates,	John McCann,	A. H. Stewart—16.
T. L. Glenn,		

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	J. S. Wortham—11.
B. F. Cockrell,	D. L. May,	

So said bill was rejected.

Mr. Bradley moved to reconsider the vote by which the Senate had rejected said bill,

Which motion was simply entered.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky Capitalization Company ;

An act to amend an act, entitled “An act incorporating the German Savings and Homestead Fund Company ;”

An act to procure the turnpikes of Harrison county and make them free to the public :

An act to amend the charter of the town of Quincy, in Lewis county ;

An act to incorporate the Kentucky Baptist Historical Society ;

An act for the benefit of criminals under sixteen years of age ;

An act to amend section 710, Civil Code of Practice ;

An act to incorporate the Workingmen’s Building and Loan Association ;

An act to incorporate the Citizens' Home and Loan Association, of Lexington, Kentucky ;

An act to authorize S. L. Bays to construct a boom across Little Fork of Little Sandy river, in Carter county ;

An act to further amend the charter of the city of Covington, in respect to supplying water for the citizens of said city and others ;

An act to incorporate the Fidelity Trust Company, of Paducah, Kentucky ;

An act to prevent stock from running at large on the Mt. Sterling and Maysville turnpike road, in Montgomery county ;

An act to incorporate the North Side Land Company ;

An act concerning the Bourbon County Agricultural Association ;

An act to prevent the keeping of toll-gates or collection of tolls or requiring promise to pay toll on the Bardstown and Green river turnpike road within two miles of the town of Buffalo, in Larue county ;

An act extending the provisions of the State Pharmacy Laws to Larue county ;

An act to incorporate the Sacramento Fair Association ;

An act appropriating to the support of the Home for Friendless Women, located in Louisville, Kentucky, fifty per cent of all fines recovered and collected of houses of ill fame in said city ;

An act to amend chapter 691, approved April 11, 1890, entitled "An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county," approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds, levy and collect taxes to pay same, approved April 1, 1882 ;

An act to allow the citizens of this Commonwealth to meet, organize, hold lodge meetings, or religious services in the district school houses of this State ;

An act to incorporate the Citizens' Bank of Meade County ;

An act to amend act, entitled "An act to incorporate the Anchor Mutual Benefit Association of Kentucky," approved February 26, 1880 ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Winchester, and to authorize the Board of Councilmen of said town to contract for a water supply for said town ;

An act to attach the county of Jackson to the Common Pleas Court, composed of the counties of Harlan, Perry, Leslie, Laurel, Whitley, Knox and Bell ;

An act for the benefit of John G. Reynolds, of Green county, Kentucky ;

An act to incorporate the Jessamine Safety Vault and Trust Company ;

An act to amend and reduce into one the several acts in relation to city of Lawrenceburg, in Anderson county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to organize and establish a system of public graded schools in Carlisle ;

An act to incorporate the Citizens' Banking and Trust Company of Lawrenceburg ;

An act to incorporate the Kentucky Pipe Line Company ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Darby was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Sebree City, in Webster county ;

After a short time, Mr. Darby, from said committee, reported that said committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Darby moved to reconsider the vote by which the Senate had passed said bill.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to change the time of holding the circuit court of Jackson and Laurel counties.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration the unfinished business of yesterday, being a bill which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State, to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of script, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

Mr. Peterman withdrew the motion heretofore made by him to postpone the further consideration of said bill until Friday, April 2, 1890.

Mr. Dickerson withdrew the motion heretofore made by him to postpone the further consideration of said bill until Wednesday, May 7, 1890.

Mr. Breckinridge withdrew the motion heretofore made by him to postpone the further consideration of said bill indefinitely.

On motion of Mr. Newman—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Monday, May 5, 1890, at 11 o'clock A. M., and from day to day until disposed of.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to further define the jurisdiction and powers of courts of equity in actions to quiet title to land.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any person having the legal title to land, whether in the actual possession thereof or not, may, if same be not in the actual adverse possession of another, prosecute action in equity in the county in which the land, or a greater part thereof, may lie, against any person setting up claim thereto, or claiming to have or own any interest therein, or lien or encumbrance thereon, for purpose of determining the validity of such claim of title, interest, lien or encumbrance. If the legal and equitable title be not in same person, the holder of the equitable title shall be a party, either plaintiff or defendant. A person having the equitable title only, may prosecute such action, for like purpose, whether another be in adverse possession of the land in question or not, the holder of the legal title and the person in such possession, if any, being made parties. The court shall adjudicate and settle such of these questions as may, by either party be presented in the pleadings, require proper releases and conveyances, and adjudge possession to the party entitled thereto, and give costs as in other equitable actions: *Provided, however*, That plaintiff shall recover no costs against such defendant, as shall, by original answer, disclaim the title, interest, claim or encumbrance which he is alleged to be claiming.

§ 2. This act shall be enforced from its passage.

Mr. Breckinridge moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Glenn moved to reconsider the vote by which the Senate had rejected said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Darby and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,
Ben F. Bradley,
B. F. Cockrell,
F. W. Darby,
Sam E. English,

G. W. Gates,
T. L. Glenn,
R. G. Hays,
J. B. Hannah,
J. H. Lunsford,

D. L. May,
J. W. McCain,
A. L. Peterman,
G. Terry—14.

Those who voted in the negative, were—

W. F. Berry,	William Goebel,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	J. S. Wortham,
Reuben Conner,	J. W. Martin,	D. W. Wright—11.
W. W. Dickerson,	Charles Patteson,	

On motion of Mr. Darby—

Ordered, That said bill be recommitted to the Committee on Codes of Practice.

Mr. Breckinridge moved that when the Senate adjourns, that it be to meet this afternoon at 3 o'clock, and continue until 5 o'clock, for the purpose of holding an afternoon session, when the committees should be called, commencing with the Committee on General Statutes.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to reconsider the vote by which the Senate had adopted the motion made by Mr. Breckinridge.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act in relation to the posting of lands in this Commonwealth."

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the title to "An act in relation to the posting of lands in this Commonwealth," approved March 13, 1878, be amended by adding thereto the following words: "And to define how other notice to persons not to trespass thereon may be given."

§ 2. That section 2 of "An act in relation to the posting of lands in this Commonwealth" be amended by inserting in the second line thereof, after the words "given by," the words "written, printed or verbal notice," in substance, that hunting or fishing is not permitted thereon. Such notice to be given by the owner or occupant of the lands, or by any agent of either, or any person acting for or in behalf of either, or by"

§ 3. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled
An act to incorporate Oil City, in Barren county.

Mr. Peterman proposed an amendment to said bill,
Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred a bill, which originated in the Senate, entitled

An act to provide for the plugging of all abandoned natural gas wells in this Commonwealth,

Together with an amendment thereto adopted by the House of Representatives.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Anderson, from the Committee on General Statutes, to whom was referred a bill, which originated in the Senate, entitled

An act to amend the charter of the Bardstown Cemetery Company,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

Mr. Wright, from the Committee on General Statutes, to whom was referred a joint resolution, which originated in the House of Representatives, entitled,

Resolution in relation to a public building at Bowling Green, Kentucky,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the St. Patrick's Total Abstinence Society of the Church of St. James, Brooksville, Kentucky;

Which was granted.

Whereupon the Speaker appointed Mr. Dickerson said committee on the part of the Senate.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act for the protection of fish in the waters of the State of Kentucky.

Mr. Wortham proposed an amendment to said bill,

Pending the further consideration of said bill and proposed amendment, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate took a recess.

The Senate met pursuant to adjournment.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend section 15 of article 1, chapter 5 of the General Statutes,

Reported the same, without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Breckinridge moved to reconsider the vote by which the Senate had passed said bill.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend section 2, article 13, chapter 28 of the General Statutes, fixing the jurisdiction of quarterly courts,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 2 of article 13 of chapter 28 of the General Statutes of Kentucky be, and the same is hereby, amended, so as to read as follows: Quarterly courts shall have jurisdiction concurrent with circuit courts, of all actions, for the recovery of money as personal property, where the matter in controversy, exclusive of interest and cost exceeds fifty dollars, and does not exceed five hundred dollars in value.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Hendrick moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was rejected.

Mr. Glenn moved to reconsider the vote by which the Senate had rejected said bill.

Mr. McCain moved to lay that motion on the table.

Mr. Glenn moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the motion made by Mr. McCain, and it was decided in the affirmative.

Mr. Wright moved to reconsider a vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act in relation to the subscription, by Warren county, to the capital stock of the Bowling Green and Northern Railroad Company,

Which motion was simply entered.

Leave was granted to bring in the following bills, viz:

On motion of Mr. Stewart—

1. A bill to incorporate the Inter-state Tunnel Railway Company.

On motion of Mr. McCain—

2. A bill to fix the salary of the State Treasurer's clerk.

Ordered, That the Committee on Railroads prepare and bring in the 1st, and the Committee on Banks and Insurance the 2nd.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz:

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of Peter C. Sower.

By same—

An act for the benefit of Mary Gibson, guardian of S. Cochran's heirs.

By same—

An act for the benefit of the estate of Charles Smith, deceased, of Nelson county.

By Mr. Terry, from the Committee on General Statutes—

An act imposing a tax on dogs, and providing for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth.

By same—

An act for the benefit of the town of Franklin, in Simpson county.

By same—

An act to amend an act, entitled "An act to amend and reduce into one all acts and laws in relation to the town of Trenton, in Todd county," passed March 24, 1884.

By same—

An act to incorporate the Mt. Carbon, Prestonsburg and Pikeville Telephone Company.

By Mr. Wortham, from the same committee—

An act to incorporate the Woman's Christian Temperance Union of Hawesville.

By same—

An act for the benefit of S. H. Mason, late sheriff of Hancock county.

By Mr. Anderson, from the same committee—

An act to incorporate the Shelbyville Water-works Company, and to authorize the city of Shelbyville to take stock therein.

By same—

An act in regard to the Bardstown and Green River Turnpike Road Company.

By same—

An act to repeal an act, entitled "An act to repeal chapter 1259 of the Session Acts of 1881-2, entitled 'An act to define the jurisdiction of the courts of justice of the peace in the county of Spencer,' approved March 16, 1886, and to revive and continue in force chapter 1259 of the Session Acts of 1881-2," approved April 22, 1882.

By same—

An act for the benefit of the Shelbyville and Eminence Turnpike Road Company.

By same—

An act to amend the charter of the Shelbyville and Burk's Branch Turnpike Road Company.

By same—

An act to repeal an act, entitled "An act for the benefit of the Ridge Turnpike Road Company, in Shelby county," approved April 13, 1888.

By same—

An act to repeal an act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county, approved February 19, 1873.

By same—

An act incorporating the Waddy Real Estate and Improvement Company.

By Mr. Wright, from the same committee—

An act for the benefit of Robert Watson, of Lee county.

By same—

An act to amend an act to incorporate the town of Gistville, in Henry county, approved March 11, 1862.

By same—

An act to incorporate the town of Defoe, in Henry county.

By same—

An act to prevent the destruction of fish in South Elkhorn, lying within the bounds of Woodford county.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of Mrs. Bettie E. Edmunds, of Marion county.

By Mr. Terry, from the Committee on General Statutes—

An act to make county surveyor's office in Todd county, compatible with that of deputy county court clerk, and to ratify work already done.

By Mr. Wright, from the same committee—

An act to incorporate the Cynthiana Western Railroad Company.

With amendments to the three last-named bills,

Which were adopted.

Ordered, That said bills, the three last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Dickerson moved that the rules be suspended to allow the Committee on Railroads to report a bill, entitled

An act to incorporate the Louisville, Covington and Cincinnati Railway Company.

Mr. English objected to the suspension of the rules for said purpose.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and McCann, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	A. L. Peterman,
W. F. Berry,	William Goebel,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	A. H. Stewart,
Reuben Conner,	J. W. McCain,	G. Terry,
F. W. Darby,	Chas. Patteson,	J. S. Wortham,
W. W. Dickerson,	J. J. Paul,	D. W. Wright—21.

Those who voted in the negative, were—

Sam E. English.	R. G. Hays,	John McCann—3.
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Mr. Bradley, from the Committee on Railroads, to whom was referred leave to bring in a bill, entitled

An act to incorporate the Louisville, Covington and Cincinnati Railway Company,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That Prentice Meade, L. C. Norman, W. S. Bailey, J. J. Landrum, J. H. McDanell, W. R. Palin, W. O. Coleman, Rod Perry and W. H. Howe, and their successors, be, and they are hereby created a body corporate by the name of the Louisville, Covington & Cincinnati Railway Company, with power to construct, maintain and operate a railway with double or single track, with such appendages as may be necessary for the convenient use of the same; commencing at an eligible point in or near the city of Covington, in the county of Kenton, thence through the counties of Kenton, Boone, Gallatin, Carroll, Trimble, Oldham and Jefferson, to any eligible point in or near to the city of Louisville, in the county of Jefferson.

§ 2. The capital stock of said company shall be one million dollars, to be increased by the board of directors, if necessary, to complete, equip and maintain the road; which capital stock shall be divided into shares of one hundred dollars each.

§ 3. The said incorporators, or a majority of them, shall have authority to open books and receive subscriptions to the capital stock of said company, to be paid in money or property and materials necessary or suitable for the construction and operation of the road in such manner as may be agreed between them and the subscribers.

§ 4. When five hundred shares of the capital stock have been subscribed, the subscribers, or a majority of them, may meet in the city of Covington (all such subscribers having at least ten days notice of the time and place of meeting), and may proceed to organize by the election of five directors, who shall elect one of their number president, and may appoint such officers and agents as may be proper for the conduct of the business of the corporation. The directors so chosen shall continue in office until the election and qualification of their successors, who shall be elected on the first Tuesday in April, 1891, and thereafter the directors shall be elected annually. No one shall be elected a director who is not the owner and holder of at least five shares of the capital stock of the corporation. Every stock-

holder shall be entitled to one vote for every share of stock of which he is the owner and holder, and may vote in person or by written proxy.

§ 5. The directors may adopt by-laws for the conduct and management of the affairs of the corporation, and shall have the power to fill any vacancies that may occur in the board until the next regular election.

§ 6. The directors shall have the power to cause all necessary examinations and surveys of the route for said railway to be made, and shall select the route on which said road shall be constructed. But if said directors after having selected a route for said railway, find any obstacle to continuing said location, either by difficulty of construction or procuring the right of way at reasonable cost, they shall have authority to vary the route and change the location.

§ 7. The corporation is hereby empowered to acquire by condemnation, under and in accordance with the general law of this Commonwealth, and to purchase, receive and hold real estate for the right of way of said railway, not exceeding one hundred feet in width, except where a greater width may be necessary or suitable for the construction and operation of its road, and such other real estate and material as may be necessary and convenient for depots, yards and switches, turn-outs, cars, and repair shops, or otherwise necessary in accomplishing the object for which the corporation is granted.

§ 8. Whenever it shall be necessary, for the construction of the railway, to intersect or cross any stream of water or water course, or any road or highway lying in or across the route of of said road, it shall be lawful for the corporation to construct said railway across the stream or upon the water course, or to cut or cross any such road or highway; but the corporation shall restore the stream or water course or road or highway thus intersected to its former state, or in a sufficient manner not to destroy its usefulness, and the corporation may build such bridges over such river as said road may cross or as may be necessary and proper for the construction, operation or traffic thereof; provided, that any bridge built under this act shall be so constructed as not to obstruct navigation.

§ 9. The said corporation shall have power to locate, construct and operate branch roads, from its main road, to any other towns or places in the several counties through which said road may pass, not destroying the vested rights of other corporations.

§ 10. The corporation, by its president and board of directors, may issue bonds for the construction, operation and maintenance of said railway and branches which it may determine to build under this act, and may secure such bonds, so issued, by a mortgage or mortgages on the railway or branches designated in the respective mortgages, their property and franchises, or on the profits, income or earnings of said railway or branches. The

number, value, place of payment, rate of interest not exceeding six per centum per annum, time of maturity and form of the bonds issued by the corporation shall be determined by its president and board of directors, from time to time, and it may increase its capital stock for each branch, which may be constructed by it as herein provided, or, proportionately, as the length of such branch is to the length of its railway.

§ 11. That nothing in this act shall authorize the construction of said road through or into any city or town, without having first obtained the consent of the proper authorities of said city or town.

§ 12. If the corporation hereby created shall not within twenty-four months after the passage of this act, enter, in good faith upon the construction of said railway, the privileges of this charter shall cease and this act be void, and if the said railway shall not be completed within five years from the passage of this act, the powers and privileges conferred by this act shall cease and determine, except as to so much of said railway as shall then be completed.

§ 13. This act shall take effect from and after its passage.

Mr. English moved to amend said bill as follows, viz :

Amend by striking out the county of Jefferson.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and McCann, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	A. L. Peterman,
W. F. Berry,	William Goebel,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	Ben F. Reynolds,
R. J. Breckinridge,	J. P. Huff,	G. Terry,
Reuben Conner,	J. W. McCain,	J. S. Wortham,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—20.
G. W. Gates,	J. J. Paul,	

Mr. English proposed the following amendment to said bill, viz :

Amend section 1 by striking out all of said section after the word Oldham, and insert in lieu of the part stricken out the following: At or near the boundary line of which last-named county it shall have the power to connect any existing railroad entering the city of Louisville.

The question being then taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. English and McCann, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	A. L. Peterman,
W. F. Berry,	William Goebel,	J. M. Pieratt,
Ben F. Bradley,	John K. Hendrick,	B. F. Reynolds,
R. J. Breckinridge,	J. P. Huff,	A. H. Stewart,
B. F. Cockrell,	J. W. McCain,	G. Terry,
Reuben Conner,	Chas. Patteson,	J. S. Wortham,
W. W. Dickerson,	J. J. Paul,	D. W. Wright—22.
G. W. Gates,		

Mr. Dickerson moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

Mr. English objected to the third reading of said bill on this day.

Mr. Peterman moved that the constitutional provision as to the third reading of said bill be dispensed with, and that said bill be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. J. Paul,
W. F. Berry,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	B. F. Reynolds,
B. F. Cockrell,	J. P. Huff,	A. H. Stewart,
Reuben Conner,	John R. Kemp,	G. Terry,
F. W. Darby,	J. W. McCain,	J. S. Wortham,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—25.
G. W. Gates,		

In the negative—Sam E. English—1.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Mr. Peterman moved to reconsider the vote by which the Senate had passed said bill.

Mr. Peterman moved to lay said motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prescribe the liability or railroad companies to the owners of stock killed or injured by railroad cars or agents in Breckinridge county.

On motion of Mr. Wortham—

Ordered, That said bill be recommitted to the Committee on Railroads.

Mr. Wright, from the Committee on General Statutes, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to establish a court of common pleas in the county of Christian," approved February 6, 1888,

Reported the same, with the expression of opinion that said amendment should not be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the negative.

Mr. Anderson, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to attach Owsley county to the Seventeenth Senatorial District,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the county of Owsley be taken from the 34th Senatorial District and attached to the 17th Senatorial District.

§ 2. That this act shall take effect from and after its passage.

Mr. Paul proposed an amendment to said bill, viz :

Amend by striking out the 17th District, and insert in lieu thereof the 29th District.

And the question being taken on the adoption of said amendment, and it was decided in the negative.

Ordered, That said bill be engrossed and read a third time.

Mr. Paul objected to the third reading of said bill on this day.

Mr. Anderson moved that the constitutional provision be dispensed with, and that said bill be engrossed and read a third time.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Paul and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry,	William Goebel,	Chas. Patteson,
Ben F. Bradley,	R. G. Hays,	A. L. Peterman,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	J. S. Wortham,
Sam E. English,	J. W. McCain,	D. W. Wright—22.
G. W. Gates,		

Those who voted in the negative, were—

J. P. Huff,	J. W. Martin,	A. H. Stewart—5.
J. H. Lunsford,	J. J. Paul,	

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Huff and Paul, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
Sam E. English,	D. L. May,	B. F. Reynolds,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
William Goebel,	John P. Newman,	D. W. Wright—19.
R. G. Hays,		

Those who voted in the negative, were—

J. P. Huff,	J. W. Martin,	A. H. Stewart—5.
J. H. Lunsford,	J. J. Paul,	

Mr. Anderson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Anderson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Huff and Stewart, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John P. Newman,
Ben F. Bradley,	William Goebel,	Chas. Patteson,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	J. S. Wortham,
Sam E. English,	J. W. McCain,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	A. L. Peterman,
R. G. Hays,	J. W. Martin,	A. H. Stewart—8.
J. P. Huff,	J. J. Paul,	

Resolved, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to change the boundary lines between Ohio and Butler counties,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, That portion of Butler county, Kentucky, lying southeast of Cromwell, Ohio county, Kentucky, bounded as follows, to-wit: Beginning at the Thoroughfare creek, on Green river, at the point where the present dividing line between the counties of Ohio and Butler intersects said river; thence with the meanderings of Green river to the other end of said creek, where the the aforesaid dividing line between Ohio and Butler counties again intersects said river; thence in a northeasterly direction with the present dividing lines between the said counties, with the meanderings of the said Thoroughfare creek to the beginning, which territory is known as the "Little Bend of Green river," in Butler county, is completely isolated and shut off from the county seat of Butler county, at Morgantown, and by natural geographical lines should belong to Ohio county, and the citizens, voters and tax-payers embraced in the said boundary, have unanimously petitioned the General Assembly of the Commonwealth of Kentucky, to attach the said territory to Ohio county, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky. § 1. That the dividing line between the counties of Butler and Ohio be, and the same is, hereby changed so that Green river, below Cromwell, to the dividing line between Butler and Muhlenburg counties, shall constitute the dividing line between the counties of Ohio and Butler; and all that portion of Butler county lying on the north side of Green river, between Cromwell and the dividing line between Muhlenburg and Butler counties, shall be, and the same is, hereby detached from Butler county and attached to Ohio county, and made part thereof, and made a part the Cromwell magisterial district and voting precinct in Ohio county.

§ 2. That the law directing that notices shall be given of an intention to change the boundary lines between counties, in so far as it effects this act, is hereby repealed.

§ 3. All acts and parts of acts in conflict herewith, are hereby repealed.

§ 4. This act shall take effect from and after its passage.

Mr. Breckinridge moved that the session of the Senate be extended until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

Mr. Anderson proposed the following amendment to said bill, viz:

Amend by adding to the ——— section the following: *Pro-*

vided, That a majority of the qualified voters, living within the limits of the territory proposed to be transferred from Butler to Ohio county, shall vote to ratify this act at an election to be held at J. Ham. Brown's on Saturday, the seventeenth day of May, 1890; and Ham. Brown, James Read and S. H. Schrouder are appointed clerk and judges respectively of said election, and are directed to hold the same between the hours of 6 o'clock A. M. and 6 o'clock P. M. Said election officers will, before they proceed to act, take the oath prescribed for the officers of election, and, in the event any one of them shall fail to act, his place may be filled by appointment of some other suitable person by the commissioner or commissioners who may be willing to act. The commissioners shall prepare a poll-book with two columns, one headed "for the transfer" and the other "against the transfer," and shall propound to each person who offers to vote the question "are you for or against the transfer?" and the clerk will record the vote of each voter according to his answer to such question. The officers of such election shall certify the result of said election to the county courts of both Ohio and Butler counties, and such certificate shall be recorded in the order-books of both of said courts, and the poll-book shall be returned to the county clerk of the county of Ohio.

Mr. Newman moved that the further consideration of said bill and proposed amendment be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Anderson and Breckinridge, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	J. B. Hannah,	J. J. Paul,
Reuben Conner,	John R. Kemp,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	A. H. Stewart,
Sam E. English,	J. W. Martin,	G. Terry,
T. L. Glenn,	John P. Newman,	D. W. Wright—18.

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	J. W. McCain,
W. F. Berry,	William Goebel,	J. M. Pieratt,
R. J. Breckinridge,	John K. Hendrick,	B. F. Reynolds,
W. W. Dickerson,	D. L. May,	J. S. Wortham—12.

So said bill was disagreed to.

Mr. Peterman moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Peterman moved to lay that motion on the table.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken on Mr. Dickerson's motion to adjourn, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	William Goebel,	J. W. McCain,
W. W. Dickerson,	John K. Hendrick,	J. M. Pieratt,
G. W. Gates.	D. L. May,	B. F. Reynolds—9.

Those who voted in the negative, were—

Ben F. Bradley,	R. G. Hays,	J. J. Paul,
B. F. Cockrell,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart,
F. W. Darby,	J. W. Martin,	G. Terry,
Sam E. English,	Jno. P. Newman,	D. W. Wright—17.
T. L. Glenn,	Chas. Patteson,	

The question was then taken on the adoption of the motion made by Mr. Peterman to lay on the table his motion to reconsider the vote by which the Senate had disagreed to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Breckinridge and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	John R. Kemp,	J. J. Paul,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart,
Sam E. English,	J. W. Martin,	G. Terry,
T. L. Glenn,	John P. Newman,	D. W. Wright—15.

Those who voted in the negative, were—

F. W. Darby,

J. B. Hannah—2.

Bills, which originated in the Senate, of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Patteson, from the Committee on Claims—

An act to permit the Warren County Court to change or modify the terms and conditions upon which Warren county agreed to subscribe to the capital stock of the Bowling Green and Northern Railroad Company.

By same—

An act to define the county line of Estill county.

By Mr. Terry, from the Committee on General Statutes—

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county, Kentucky," approved April 21, 1884.

By same—

An act to amend the charter of the town of Kirkmansville, in Todd county, passed April 7, 1882.

By Mr. Wortham, from the same committee—

An act to amend the charter of the American Gas and Mineral Company.

By same—

An act to incorporate the Falls of Rough Water Company.

By same—

An act to incorporate the Falls of Rough Banking Company.

By Mr. Wright, from the same committee—

An act to incorporate the People's Bank of Winchester.

By same—

An act to incorporate the Winchester Bank Company.

By same—

An act to incorporate the Banking House of Wilson & Muir.

By same—

An act to incorporate the Presbyterian Alliance of Louisville.

By same—

An act to repeal section 5 of an act, entitled "An act to incorporate the Paducah Wooden-ware Manufacturing Company, of the city of Paducah."

By same—

An act to amend subsection 3 of section 3 of chapter 110 of the General Statutes.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be severally engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

And then the Senate adjourned.

FRIDAY, MAY 2, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Princeton Street Railway Company.

An act to incorporate the National Order Mutual Aid of Kentucky.

An act to amend an act, entitled "An act to further amend an act, entitled 'An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State,' " approved March 20, 1876, approved May 12, 1884.

That they had refused to concur in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

That they had adopted a joint resolution and passed bills of the following titles, viz :

1. Resolution for the benefit of R. J. Cassidy, of Fayette county, Kentucky.

2. An act to incorporate the Louisville Belt Railway and Transfer Company.

3. An act to authorize Sereptha Noel to be maintained at the Central Lunatic Asylum without cost to her parents.

4. An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, in Henderson, county," approved March 25, 1872, and the acts amendatory thereof.

5. An act to prescribe the form of report made out by the stewards to the Superintendents of the various charitable institutions in this Commonwealth.

6. An act to amend chapter 73, section 15, General Statutes.

7. An act to fix the per capita allowance at the Lunatic Asylums for the pauper lunatics.

8. An act to enable the County Court of Madison county to have free turnpikes in Madison county.

9. An act to incorporate the Runyan School House and Four Mile Road Turnpike Company.

Which bills and resolution were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Claims ; the 2d to the Committee on Railroads ; the 3d, 5th and 7th to the Committee on Charitable Institutions ; the 4th to the Committee on Education ; the 6th to the Committee on General Statutes, and the 8th and 9th to the Committee on Internal Improvements.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Hazel Green Cemetery Company, at Hazel Green, Wolfe county.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled “An act for the benefit of Jefferson county (road law),” approved February 26, 1890.

By same—

An act to amend an act to incorporate the town of Clifton, in Jefferson county, approved April 4, 1884.

By same—

An act to incorporate the town of Highland Park, in Jefferson county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Hays—

1. A bill to incorporate the Hazel Green Cemetery Company, in Wolfe county.

On motion of Mr. Lunsford—

2. A bill to incorporate the town of Barnsley, and to prescribe the powers and boundaries thereof.

On motion of Mr. Hannah—

3. A bill to extend the corporate limits of the city of Ashland, in Boyd county.

On motion of same—

4. A bill for the benefit of B. F. Jenkins, of Elliott county.

On motion of same—

5. A bill to amend an act, entitled “An act for the benefit of the city of Ashland, and to amend certain acts relating to the city and town of Ashland,” approved March 26, 1878.

On motion of Mr. Hendrick—

6. A bill to amend section 4 of chapter 148 of the Acts of 1844-5.

On motion of Mr. McCann—

7. A bill to incorporate the Southwestern News Company.

On motion of same—

8. A bill to incorporate the Southern Railway News Company.

On motion of same—

9. A bill to amend an act amending the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

On motion of Mr. Hays—

10. A bill to amend the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

Ordered, That the Committee on Banks and Insurance prepare and bring in the 1st, 9th and 10th; the Committee on Propositions and Grievances the 2d; the Committee on Courts of Justice the 3d, 4th and 5th; the Committee on the Judiciary the 6th; and the Committee on General Statutes the 7th and 8th.

By unanimous consent, Mr. Berry reported a bill, entitled
An act incorporating the Henderson Fair Association.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act for the protection of the Mammoth Cave and the Mammoth Cave estate in Edmonson county,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

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The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hays, from the Committee on Banks and Insurance, to whom was referred leave to bring in a bill, entitled

An act to fix the salary of the State Treasurer's clerk,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed, and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the salary of the State Treasurer's clerk shall be at the rate of fifteen hundred dollars per annum, payable monthly.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the negative for the want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John P. Newman,
Ben F. Bradley,	T. L. Glenn,	Chas. Patteson,
R. J. Breckinridge,	William Goebel,	J. J. Paul,
F. W. Darby,	R. G. Hays,	J. M. Pieratt,
W. W. Dickerson,	John R. Kemp,	Chas. B. Poyntz,
Sam E. English,	J. W. McCain,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	A. H. Stewart,
Reuben Conner,	J. H. Lunsford,	J. S. Wortham—8.
J. B. Hannah,	J. W. Martin,	

So said bill was rejected.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Fordsville Banking Company ;

An act to authorize the County Court of Fayette county to obtain, purchase, or lease turnpike roads, in said county and maintain them free of toll from the traveling public ;

An act to change the time of holding the Circuit Court in the counties of Jackson and Laurel ;

An act to incorporate the Yellow Creek Investment Company ;

An act for the benefit of R. L. Ricketts and John D. Caseldine, allowing R. L. Ricketts to wind up the affairs of A. R. Ricketts, deceased, as sheriff, and allowing them further time ;

An act to incorporate the city of Hardinsburg, in Breckinridge county ;

An act to incorporate the People's Trust and Safety Vault Company, of Jessamine county ;

An act to incorporate the town of Salem, in Livingston county, Kentucky ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court, levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads," approved April 3, 1890 ;

An act to approve and confirm the charter of the W. J. Hughes & Son's Company, of Louisville, Kentucky ;

An act to amend, revise and reduce into one, all of the several acts concerning the town of Madisonville, and to incorporate said town ;

An act concerning the Madison Academy, in Richmond, Kentucky ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bowling Green and Southern Railroad Company ;

An act to incorporate the Ford Savings Bank ;

An act to incorporate the People's Banking and Trust Company ;

An act to incorporate the Anderson County Safety Vault and Trust Company ;

An act to amend an act, entitled "An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company," approved March 19, 1873 ;

An act to incorporate the Shadwick's Ferry Turnpike Company ;

An act to incorporate the Wilderness Road Turnpike Company ;

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890 ;

An act to amend the charter of the city of Winchester ;

An act to incorporate the Midway Cemetery Company ;

An act to incorporate the town of Sturgis, in Union county ;

An act to incorporate the Kentucky River and Virginia Railroad Company ;

An act to amend the charter of the city of Covington ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills and joint resolutions, which originated in the Senate, of the following titles, viz :

An act to authorize the city of Mt. Sterling to sell four feet of land.

An act to incorporate the Waco and Richmond Railway Company.

An act to establish and maintain a public graded school in Eden, Martin county.

An act to amend the charter of the Somerset Street Railway Company.

An act for the benefit of David Kirby, of Warren county.

An act to amend an act, entitled "An act to incorporate the Lebanon Water-works Company.

An act to incorporate the Campbellsville, Elkhorn and Manns-ville Turnpike Road Company, in Taylor county, Kentucky.

Resolution providing for the *sine die* adjournment of the General Assembly.

Resolution providing for the appointment of a committee to investigate the draining of the lunatic asylum at Anchorage.

An act to amend an act, entitled "An act to re-enact and amend an act, entitled 'An act to incorporate the Paducah, Benton and Murray Gravel Road Company, and charter the Paducah and Clark's River Gravel Road Company.

An act to incorporate the Somerset and Eastern Kentucky Railroad Company.

An act for the benefit of the city of Louisville.

An act to amend section 10 of the Civil Code of Practice.

An act prescribing the duties of fiduciaries.

An act to require the lessees of railroads in this State to have the contract of lease recorded.

An act supplementary to and to amend an act, entitled "An act to organize and establish a system of public schools in the city of Hopkinsville for white children in said city," approved March 13, 1872.

An act regulating the sale of vinegar.

An act to establish an additional voting precinct in Hopkins county.

An act to incorporate the Cannon Creek Mining and Lumber Company.

An act to authorize the county of Cumberland to subscribe aid to the Burksville and Northwestern Railroad Company.

An act in relation to the subscription by the county of Bourbon for the capital stock of the Kentucky Midland Railway Company.

An act to repeal an act, entitled "An act to prohibit the sale, loan, barter, or traffic in spirituous, vinous or malt liquors in Todd county, and submit the same to the voters of said county."

An act to establish an additional justice of the peace district in Mason county.

An act to amend the charter of the Louisville and Nashville Railroad Company, approved March 5, 1850.

An act authorizing Mason county to levy a tax in aid of common schools in said county.

Mr. Goebel, from the Committee on General Statutes, to whom was referred a bill, which originated in the Senate, entitled

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment ought to be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Goebel moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Goebel moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
F. W. Darby,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	J. H. Lunsford,	Chas. B. Poyntz,
G. W. Gates,	Jas. H. Mulligan,	B. F. Reynolds,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John P. Newman,	G. Terry,
J. B. Hannah,	Chas. Patteson,	J. S. Wortham,
John K. Hendrick,	J. J. Paul,	D. W. Wright—24.

Those who voted in the negative, were—

Ben F. Bradley,	R. G. Hays,	John McCann—4.
R. J. Breckinridge,		

A message was received from the House of Representatives asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, with an amendment thereto, entitled

An act in relation to the management of trains where railways cross each other.

Which was granted, and said bill was delivered to the messenger.

Mr. Berry, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county, approved March 15, 1890,

Reported the same, without amendment.

Mr. May moved to lay said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

So said bill was disagreed to.

Mr. Gates, from the Committee on Internal Improvements, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to reduce into one all acts in reference to the town of Pewee Valley, and to more clearly define the boundary of said town,

Reported the same with an amendment.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Hendrick read and laid on the table the following joint resolution, viz:

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Governor, Attorney-General and Treasurer of this State be, and they are hereby appointed commissioners to investigate the claims of the building commissioners, H. B. Lyon, J. M. Thomas and W. Carpenter, and ascertain whether or not the said commissioners should be paid for their services by the State, if so, what amount should be paid to each of said commissioners.

2. After said investigation the said Governor, Attorney-General and Treasurer, shall file their report with the Auditor,

stating the amount which should be paid to each of said building commissioners, and thereupon the Auditor shall draw his warrant in favor of the party entitled thereto, for the amount recommended by the report, and the same shall be paid by the Treasurer out of any money in the Treasury not otherwise appropriated.

3. This resolution shall take effect from and after its passage.

Which, under the rules, lies one day on the table.

Mr. Hendrick moved that the rules be suspended, and that said resolution be taken up for consideration.

The question being taken thereon, it was decided in the negative.

The Senate took up for consideration a bill, which on yesterday was withdrawn, unsigned, from the hands of the Governor, and being a bill which originated in the House of Representatives, entitled

An act to amend the charter of the town of Sebree City, in Webster county,

Mr. Darby proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goebel, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to punish proprietors, owners or managers of circuses, menageries or other exhibitions for imposing upon the people by false or fraudulent advertisements,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Breckinridge moved that the Senate resolve itself into a Committee of the Whole on the state of the Commonwealth for the further consideration of said bill.

And the question being taken thereon, it was decided in the affirmative.

Whereupon the Speaker of the Senate vacated the Chair, and Mr. Breckinridge was called to and occupied the same.

After a time spent in the consideration of said bill the committee rose, the Speaker of the Senate resumed the Chair, and Mr. Breckinridge, the Chairman, reported that the committee had under consideration a bill, entitled

An act to punish proprietors, owners or managers of circuses, menageries or other exhibitions for imposing upon the people by false or fraudulent advertisements.

And after proceeding with the consideration of the same, had risen and directed him to report the bill back to the Senate, with the expression of opinion that it ought to pass, and that the committee of the whole be discharged from its further consideration.

Which was granted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mulligan moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to change the boundary line between the counties of Whitley and Knox counties,

Reported the same without amendment.

Mr. Breckinridge moved that said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration the unfinished business of yesterday, being a bill, which originated in the Senate, entitled

An act for the protection of fish in the waters of the State of Kentucky.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky § 1. That it shall be unlawful, except as hereinafter provided, for any person or persons to have in his or their possession any fish trap, set net, dip net or other contrivance, to use or place in any of the waters of this State; and any person finding any fish trap, set net or other such contrivance located in any of said waters shall have the right, and it shall be his duty, to report same to the proper officer, and it shall be the duty of any justice of the peace or the judge of any county court, when information is laid before him that any fish trap, set net or other such contrivance is located in any waters within the county of his residence, to direct any fish and game warden, or the sheriff of said county, or any constable thereof, to destroy such fish trap, set net or other contrivance, and such officer so destroying the same shall be allowed by the county court of such county the sum of two dollars for each fish trap, set net or other contrivance so destroyed, to be paid out of the county levy as other claims against the county are paid.

§ 2. That any person placing or using in any of the waters of this State any fish trap, set net, dip net, fish rack, seine, grab hook, brush drag or other such contrivance, or who shall kill fish with a gun, shall be guilty of a misdemeanor, and, on conviction thereof before any justice of the peace or court having jurisdiction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars for each offense; and in case of failure to pay such fine and the costs of prosecution, shall be confined in the jail of the county for any length of time not exceeding one day for each two dollars of fine and costs so imposed. The proceedings against such offenders shall be by warrant, to be tried as in other penal and misdemeanor cases of like character.

§ 3. Any person or persons who shall place in any of the waters this State, any lime or other deleterious substance, or any drug or medicated bait, or any dynamite or other explosives, with intent thereby to injure, poison or catch fish, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than one hundred nor more than two hundred dollars; and on failure to pay the fine imposed and the cost of prosecution, shall be confined in the jail of the county for a length of time not exceeding one day for every two dollars of said fine and costs. Any justice of the peace, county or police court judge of the county wherein the offense is committed, shall have jurisdiction to try and punish such offenses, proceeding by warrant, as in other penal and misdemeanor cases.

§ 4. The provisions of this act shall not apply to the Ohio and Mississippi rivers: *Provided, however,* That this act shall not be construed to allow the use of dynamite or other explosive agents, or lime or other deleterious substance, or drugs or medicated bait to destroy

the fish in those streams, nor that a net shall be set at or within one-half mile of the mouth of any tributary of the Ohio or Mississippi rivers.

§ 5. That the circuit courts of the respective counties of this State shall have concurrent jurisdiction with justices of the peace, county and police court judges, of all violations of this act, within the jurisdiction of said counties, the proceedings in such cases to be by indictment in the name of the Commonwealth, and it shall be the duty of the judge of said courts to give this act specially in charge to each grand jury of said courts.

§ 6. Where a river or water course forms the boundary between two counties, the circuit courts and justices' court of each county shall have jurisdiction of offenses under this act committed in such river or water course.

§ 7. That all fines collected for violations of any of the provisions of this act shall be paid into the State Treasury: *Provided, however,* That this act shall not be construed to prevent any person from using a minnow seine, not longer than fifteen feet nor deeper than five feet, nor greater than five-eighths inch square mesh, to catch minnows for bait, or from using any drag seine with mesh of two and a half inches square and over, nor to prevent the use of ordinary stationary traps made of slats and drops pointing down stream, and designed to catch only fish down stream, and wings of rock or brush leading thereto.

§ 8. Any and all acts or parts of acts heretofore passed in conflict with this act, are hereby repealed

§ 9. This act shall be in force from and after its passage.

Mr. Wortham had heretofore proposed the following amendment to said bill, viz :

Provided, This bill shall not apply to the counties of Edmonson, Grayson, Hancock and Breckinridge.

Mr. McCain proposed the following amendment to said bill, viz :

Provided, That the provisions of this act shall not apply to the counties of Carroll, Henry, Oldham, Trimble, Christian and Hopkins.

Mr. Stewart proposed the following amendments to said bill, viz :

1. *Provided,* That this act shall not apply to the counties of Martin, Pike, Floyd, Letcher, Knott, Perry, Leslie, Harlan, Clay, Caldwell, Webster and Crittenden.

2. *Provided,* That so much of said act as prohibits the setting of set nets or the use of seines in Martin, Pike, Floyd, Letcher, Knott, Perry, Leslie, Clay and Harlan.

Mr. Martin proposed the following amendments to said bill, viz:

1. Amend by striking out the words "sein," "set net," or "dip net," where it occurs in said bill.

2. Exempt the counties of Ohio, Butler and Muhlenberg from the provisions of the bill.

Mr. Lindsay proposed to amend said bill as follows, viz:

Strike out the first section.

Mr. May moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Wortham to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and McCain, were as follows, viz:

Those who voted in the affirmative, were—

Reuben Conner,	J. W. Martin,	C. B. Poyntz,
W. W. Dickerson,	J. W. McCain,	A. H. Stewart,
John K. Hendrick,	A. L. Peterman,	J. S. Wortham—11.
J. H. Lunsford,	J. M. Pieratt,	

Those who voted in the negative, were—

W. H. Anderson.	R. G. Hays,	John P. Newman,
W. F. Berry,	John R. Kemp,	Chas. Patteson,
Ben F. Bradley,	William Lindsay,	J. J. Paul,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
B. F. Cockrell,	James H. Mulligan,	G. Terry,
Sam E. English,	John McCann,	D. W. Wright—18.

The question was then taken on the adoption of the amendments proposed by Mr. McCain to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. McCain and Anderson, were as follows, viz:

Those who voted in the affirmative, were—

Reuben Conner,	John K. Hendrick,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
T. L. Glenn,	James H. Mulligan,	A. H. Stewart,
J. B. Hannah,	J. W. McCain,	J. S. Wortham—15.

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	John P. Newman,
W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	G. Terry,
Sam E. English,	John McCann,	D. W. Wright—18.

The question was then taken on the adoption of the first amendment proposed by Mr. Stewart to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

F. W. Darby,	J. M. Pieratt,	A. H. Stewart—4.
A. L. Peterman,		

Those who voted in the negative, were.

W. H. Anderson,	R. G. Hays,	Chas. Patteson,
W. F. Berry,	William Lindsay,	J. J. Paul,
Ben F. Bradley,	D. L. May,	Chas. B. Poyntz,
R. J. Breckinridge,	James H. Mulligan,	B. F. Reynolds,
B. F. Cockrell,	John McCann,	G. Terry,
Sam E. English,	John P. Newman,	D. W. Wright—19.
William Goebel,		

The question was then taken on the adoption of the second amendment proposed by Mr. Stewart to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. M. Pieratt,	C. B. Poyntz—4.
A. L. Peterman,		

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
W. F. Berry,	William Goebel,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	Charles Patteson,
R. J. Breckinridge,	John R. Kemp,	J. J. Paul,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
F. W. Darby,	D. L. May,	G. Terry,
Sam E. English,	James H. Mulligan,	D. W. Wright—21.

The question was then taken on the adoption of the first amendment proposed by Mr. Martin to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	T. L. Glenn,	J. W. McCain,
F. W. Darby,	J. B. Hannah,	Chas. B. Poyntz,
W. W. Dickerson,	J. H. Lunsford,	A. H. Stewart,
G. W. Gates,	J. W. Martin,	J. S. Wortham—12.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	Chas. Patteson,
W. F. Berry,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
B. F. Cockrell,	James H. Mulligan,	G. Terry,
Sam E. English,	John McCann,	D. W. Wright—20.
Wm. Goebel,	John P. Newman,	

The question was then taken on the adoption of the second amendment proposed by Mr. Martin to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	John K. Hendrick,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	A. H. Stewart,
J. B. Hannah,	J. W. McCain,	J. S. Wortham—12.

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	Chas. Patteson,
W. F. Berry,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	C. B. Poyntz,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
B. F. Cockrell,	Jas. H. Mulligan,	G. Terry,
Sam E. English,	John McCann,	D. W. Wright—20.
T. L. Glenn,	John P. Newman,	

Mr. Glenn moved to reconsider the vote by which the Senate

had refused to adopt the second amendment proposed by Mr. Martin to said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	John K. Hendrick,	Chas. B. Poyntz,
F. W. Darby,	J. H. Lunsford,	A. H. Stewart,
W. W. Dickerson,	J. W. Martin,	J. S. Wortham—11.
G. W. Gates.	J. W. McCain,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
W. F. Berry,	John R. Kemp,	J. J. Paul,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	D. L. May,	J. M. Pieratt,
B. F. Cockrell,	James H. Mulligan,	B. F. Reynolds,
Sam E. Engilsh,	John McCann,	G. Terry,
William Goebel,	Jno. P. Newman,	D. W. Wright—22.
R. G. Hays,		

Mr. Glenn moved that when the Senate adjourns for the day, that it be to meet on to-morrow, at 10:40 o'clock A. M.

Mr. Dickerson proposed to amend said motion by striking out "10:40 o'clock A. M.," and inserting in lieu thereof "3 o'clock P. M. to-day."

Mr. Breckinridge proposed to amend the motion made by Mr. Glenn by striking out "10:40 o'clock," and inserting in lieu thereof "10:45, o'clock."

And the question being taken on the motion made by Mr. Dickerson, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Glenn, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	D. L. May,
W. F. Berry,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	Chas. Patteson,
R. J. Breckinridge,	R. G. Hays,	Charles B. Poyntz,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Sam E. English,	William Lindsay,	D. W. Wright—18.

Those who voted in the negative, were—

Reuben Conner,	J. W. Martin,	A. L. Peterman,
W. W. Dickerson,	James H. Mulligan,	G. Terry,
J. B. Hannah,	J. J. Paul,	J. S. Wortham—10.
J. H. Lunsford,		

Mr. Dickerson moved to reconsider the vote by which the Senate had adopted the motion made by Mr. Breckinridge.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John P. Newman,
W. F. Berry,	Wm. Goebel,	Chas. Patteson,
Ben F. Bradley,	R. G. Hays,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	D. W. Wright—17.
Sam E. English,	John McCann,	

Those who voted in the negative, were—

Reuben Conner,	Jas. H. Mulligan,	J. M. Pieratt,
F. W. Darby,	J. J. Paul,	G. Terry,
J. B. Hannah,	A. L. Peterman,	J. S. Wortham—9.

Mr. Glenn moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

Reuben Conner,	J. B. Hannah,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	A. H. Stewart—7.
William Goebel,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	D. L. May,	B. F. Reynolds,
Sam E. English,	James H. Mulligan,	D. W. Wright—18.

Mr. Dickerson moved that the Senate do now take a recess until 1 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Glenn and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	William Goebel,	J. W. McCain,
W. W. Dickerson,	J. B. Hannah,	J. S. Wortham—8.
G. W. Gates,	J. H. Lunsford,	

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	D. L. May,	J. M. Pieratt,
R. J. Breckinridge,	James H. Mulligan,	Chas. B. Poyntz,
B. F. Cockrell,	John McCann,	B. F. Reynolds,
F. W. Darby,	John P. Newman,	A. H. Stewart,
Sam E. English.	Chas. Patteson,	D. W. Wright—21.

The question was then taken on the adoption of the amendment proposed by Mr. Lindsay to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	Chas. Patteson,
W. F. Berry,	T. L. Glenn,	J. J. Paul,
Ben F. Bradley,	William Goebel,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
B. F. Cockrell,	J. W. Martin,	B. F. Reynolds,
F. W. Darby,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	Jas. H. Mulligan,	D. W. Wright—23.
Sam E. English,	J. W. McCain,	

Those who voted in the negative, were—

Reuben Conner,	J. B. Hannah,	John McCann,
R. G. Hays,	John R. Kemp,	A. L. Peterman—6.

Mr. Dickerson moved to reconsider the vote by which the Senate had adopted said amendment.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. B. Hannah,	J. W. McCain,
F. W. Darby,	J. H. Lunsford,	Chas. B. Poyntz—7.
William Goebel,		

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	Chas. Patteson,
W. F. Berry,	T. L. Glenn,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	J. M. Pieratt,
B. F. Cockrell,	Jas. H. Mulligan,	B. F. Reynolds,
W. W. Dickerson,	John McCann,	D. W. Wright—19.
Sam E. English,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	D. L. May,	J. M. Pieratt,
R. J. Breckinridge,	John McCann,	B. F. Reynolds,
B. F. Cockrell,	John P. Newman,	G. Terry,
W. W. Dickerson,	Chas. Patteson,	D. W. Wright—19.
Sam E. English,		

Those who voted in the negative, were—

Reuben Conner,	J. B. Hannah,	J. W. McCain,
F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
G. W. Gates,	J. H. Lunsford,	A. H. Stewart,
T. L. Glenn,	J. W. Martin,	J. S. Wortham—14.
R. G. Hays,	James H. Mulligan,	

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. May moved to lay that motion on the table.

Mr. Dickerson moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. W. McCain,	J. J. Paul,
W. W. Dickerson,	John P. Newman,	Chas. B. Poyntz—6.

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English,	D. L. May,
W. F. Berry,	G. W. Gates,	Chas. Patteson,
Ben F. Bradley,	R. G. Hays,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	G. Terry,
F. W. Darby,	J. H. Lunsford,	D. W. Wright—18.

Mr. Dickerson moved that the Senate do now take a recess for eight minutes.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. H. Lunsford,	J. W. McCain—4.
W. W. Dickerson,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
W. F. Berry,	William Lindsay,	Chas. B. Poyntz,
Ben F. Bradley,	D. L. May,	B. F. Reynolds,
R. J. Breckinridge,	Jas. H. Mulligan,	A. H. Stewart,
B. F. Cockrell,	Chas. Patteson,	G. Terry,
G. W. Gates,	A. L. Peterman,	D. W. Wright—18.

Mr. Breckinridge moved that the session of the Senate be extended until the bill under consideration should be disposed of.

Mr. McCain moved that a call of the Senate be had.

And the question being taken thereon, it was decided in the negative.

Mr. McCain moved that the Senate do now adjourn.

Pending the further consideration of said motion, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

SATURDAY, MAY 3, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Louis Seeger, of the city of Louisville, Kentucky.

An act to incorporate the Louisville, Covington and Cincinnati Railway Company.

An act to incorporate the Kentucky and Southeastern Railway Company,

With an amendment to the last-named bill,

Ordered, That the last-named bill, together with the amendment thereto, be referred to the Committee on Railroads.

That they had passed bills of the following titles, viz:

1. An act to amend and reduce into one the several acts in relation to the charter of the town of Adairville, in Logan county.

2. An act concerning the financial board of the Southern Baptist Theological Seminary.

3. An act to prevent stock from running at large on the turnpikes and public roads in Campbellsburg precinct in Henry county.

4. An act to incorporate the Eminence Electric Light, Water and Ice Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on General Statutes; the 2d to the Committee on Religion and Morals, and the 3d and 4th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they passed bills of the following titles, viz :

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company.

An act to authorize Pike, Johnson and Floyd counties to subscribe to the capital stock of the Charleston, Cincinnati and Chicago Railroad Company.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

Mr. Stewart proposed amendments to said bills,

Which were adopted.

Ordered, That said bills, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the now-existing Louisville Gas Company, and grant it a new charter," approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity;

Which was granted.

Whereupon the Speaker appointed Mr. McCann said committee on the part of the Senate.

After a short time Mr. McCann, from said committee, reported that the committee had performed that duty, and that said bill was delivered into the possession of the House of Representatives.

A message was received from the House of Representatives announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the now existing Louisville Gas Company, and grant it a new charter," approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity.

With an amendment thereto.

By unanimous consent the rules were suspended, and said amendment was taken up and concurred in.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876.

Which was granted.

Whereupon the Speaker appointed Mr. Cockrell said committee on the part of the Senate.

After a short time, Mr. Cockrell, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Cockrell moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

Mr. Cockrell proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Berry moved to reconsider the vote by which the Senate had rejected a bill, which originated in the Senate, entitled

An act to fix the salary of the State Treasurer's clerk.

Which motion was simply entered.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Campton and Hazel Green Turnpike Company,

Together with an amendment thereto, which was adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment ought to be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Darby, from the special committee appointed to investigate the condition of the Branch Penitentiary at Eddyville, to whom was recommitted a bill, which originated in the Senate, entitled

An act to provide for completion, and preparation for use as a prison, of the Branch Penitentiary at Eddyville, and to further regulate same and the Penitentiary at Frankfort,

Reported the same with an amendment.

On motion of Mr. Darby—

Ordered, That the further consideration of said bill and proposed amendment be postponed, and that the same be made the special order of the day for Wednesday, May 7, 1890, at 10:25 o'clock A. M., and from day to day until disposed of.

Mr. Darby, from the same committee, reported a bill, entitled

An act in relation to the Branch Penitentiary at Eddyville.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Darby—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Wednesday, May 7, 1890, at 10:25 o'clock A. M., and from day to day until disposed of.

Mr. Newman read and laid on the table the following resolution, viz:

Resolved, That special order, House bill 46, be made a special order for Tuesday, May 6, at 10:55 o'clock, and the same shall have precedence over all other special orders until disposed of, and shall be considered from day to day and hour to hour.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

The Senate, according to order, took up for consideration a joint resolution, which originated in the Senate, entitled

Resolution raising commission to investigate and report on the claims for services of H. B. Lyon, J. M. Thomas and White Carpenter, building commissioners of the Eddyville Penitentiary.

Mr. Newman proposed an amendment to said resolution.

Mr. Dickerson proposed an amendment to said resolution.

On motion of Mr. Hendrick—

Ordered, That said resolution and the proposed amendments thereto be postponed, and that the same be made the special order of the day for Tuesday, May 6, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Pieratt, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to incorporate and

establish a system of public schools in district No. 49, in Logan county, including the town of Adairville," passed March 24, 1888 ;

An act to amend an act, entitled "An act to incorporate an institution of learning in or near Cadiz, in the county of Trigg," approved April 16, 1888 ;

An act for the benefit of the sureties of Geo. S. Adamson, late sheriff of Bracken county ;

An act for the benefit of common school district No. 74, Barren county ;

An act for the benefit of J. J. Stevens and Mrs. Lucy N. Scott, of common school district No. 55, of Boone county ;

An act to incorporate the Winchester Tobacco Company ;

An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky ;

An act to establish and maintain a graded free school in common school district No. 38, in Marshall county ;

An act to amend an act, entitled "An act for the benefit of common school district, in Oldham county, and amendments thereto ;"

An act to amend an act, entitled "An act to incorporate the Mutual Benefit Association of the Western Virginia Conference, of the M. E. Church, South ;"

An act to incorporate Gray Lodge, No. 27, of Knights of Pythias, of Versailles, Kentucky ;

An act to authorize the city of Owensboro to exempt from city taxation certain machinery, raw materials, and manufactured articles ;

An act to empower the county commissioners of Kenton county to make subscriptions to the capital stock of turnpike roads in said county ;

An act to incorporate the Red House and Four Mile Turnpike Road Company ;

An act to amend an act, entitled "An act to enable the County Court of Mason county to provide free turnpikes in Mason county," approved May 15, 1886 ;

An act to change the times of holding the Quarterly Court in Caldwell county ;

An act for the benefit of the clerk of the Washington County Court ;

An act to incorporate the Garfield Building and Loan Association ;

An act for the benefit of common school district No. 75, in Lewis county ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Grayson, in Carter county ;

An act to incorporate the Big Sandy Bank, of Cattlettsburg, Kentucky, in Boyd county ;

An act to amend an act, entitled "An act to incorporate the town of McHenry ;

An act to authorize the trustees of Greenville Seminary to sell and convey the Greenville Seminary lot and appurtenances, and to turn the proceeds and other assets over to the trustees of common school district No. 14, of Muhlenburg county, for certain purposes ;

An act relating to the working of public roads, in Daveiss county ;

An act for the benefit of Wm. Yowell, Marshal of Lebanon ;

An act to charter the Altamont and Manchester Railroad Company ;

An act to authorize the County Levy Court of Floyd and Johnson counties to provide for the payment of the cost of printing copies of the road laws, for distribution in said counties ;

An act to incorporate the People's Supply Gas Company, in Boyd county ;

An act to incorporate the Catlettsburg Water Company ;

An act to change the name of the county seat of Elliott county, and to repeal an act, entitled "An act to change the name of the county seat of Elliott county," approved February 13, 1888 ;

An act to establish an additional voting place in Daveiss county ;

An act to amend an act to incorporate the town of Gistville, in Henry county, approved March 11, 1862 ;

An act to amend an act, entitled "An act to authorize and

empower Muhlenburg county to fund its outstanding bonded indebtedness," approved March 18, 1878;

An act for the benefit of the Ohio County and Circuit Court Clerks, of Ohio county;

An act to amend an act, entitled "An act to protect passengers and steamboatmen on the Big Sandy river," approved April —, 1890;

An act for the benefit of L. M. Hazelip, Judge of Edmonson county Quarterly Court;

An act to incorporate the Prestonburg Electric Light Company;

An act to incorporate the town of South Park, in Jefferson county;

An act to incorporate the Lexington Canning Company;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the acts incorporating the town of Louisa, approved March 11, 1869, and the acts amendatory thereof,'" approved May 3, 1884;

An act to repeal the amendment to an act authorizing the Floyd County Court to levy a poll and ad valorem tax to pay for public buildings in said county, which was approved May 5, 1884;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to provide for the plugging of all abandoned natural gas wells in this Commonwealth;

An act for the benefit of H. R. Bourland, of Hopkins county;

An act for the benefit of Mrs. Lucy Curry, of common school district No. 26, white, Montgomery county;

An act to establish common school district No. 23, Metcalfe county;

An act to incorporate the Corydon and Princeton Railroad Company;

An act to incorporate the Nolin Investment Company;

An act to repeal an act, entitled "An act to incorporate the Parksville Turnpike Company;

An act to incorporate the Green River Land Development, Manufacturing and Mining Company;

An act to survey and locate the boundary line between the

county of Warren and the counties of Edmonson, Butler, Logan, Simpson, Allen and Barren ;

An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years ;

An act for the benefit of Hiram Crabtree, of Wayne county ;

An act to incorporate the Danville Street Railway Company ;

An act to authorize the Trimble County Court to appropriate and expend any balance known as the court-house fund in Trimble county ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Rochester," approved — day of ——— 18—.

An act to amend act, entitled "An act to prohibit the sale or loaning of sprituous vinous or malt liquors in the town of Buffalo, in Larue county, or within three miles thereof," approved May 10, 1884

An act to change the time for holding the Trimble Quarterly Court, and to regulate the jurisdiction thereof ;

An act to regulate the sale of spirituous, vinous and malt liquors in Trimble county ;

An act to incorporate the Mt. Sterling Natural Gas and Oil Company ;

An act to incorporate the Hargis College, of Mt. Pleasant, Harlan county, Kentucky ;

An act to amend the charter of the town of Chester, Mason county ;

An act to prevent the keeping of certain places and setting up certain games in the city of Carlisle, and to repeal part of an act to establish a city government for Carlisle ;

An act to incorporate the Prestonsburg and Big Sandy River Bridge Company ;

An act to amend an act, entitled "An act to incorporate the town of Crofton, in Christian county," approved February 6, 1873 ;

An act to divide Carlisle civil district No. 4 into two election precincts ;

An act to incorporate Lilly Lodge, Knights of Pythias, No. 67, Carlisle county ;

An act to incorporate the Weston, Locust Grove and Cassady Turnpike Road Company ;

An act to amend an act, entitled "An act to authorize the people of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county ; approved January, 1890 ;

An act to authorize and empower the trustees of common school district 18, in Larue county, to levy a per capita and ad valorem tax for certain purposes ;

An act to amend an act, entitled "An act to incorporate the now existing Louisville Gas Company, and grant it a new charter, approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Pieratt reported that the committee had performed that duty.

The Speaker laid before the Senate the following communication, viz :

FRANKFORT, KY., May 3, 1890.

To the General Assembly of the Commonwealth of Kentucky :

To render absolutely clear the proposition heretofore submitted to the House of Representatives for the surrender of the control of the convict labor, and of the two State prisons, the one at Frankfort and the other at Eddyville, the Mason & Foard Company proposes to surrender such control on the first day of July, 1890, upon either of the following conditions :

1st. The State to take and pay for the machinery and plant in the prison at Frankfort, and also the manufactured and part manufactured stock on hand at that time, the value of such machinery, plant and stock to be ascertained by appraisers, an equal number to be selected by the State and the said company, with power in such appraisers to select an umpire.

2d. If the State does not desire to purchase the said machinery, plant and stock, then the said company will remove

the same from the prison, and surrender the control of prisons and labor as hereinbefore indicated.

3d. The said Mason & Foard Company are to be notified on or before the first day of June, 1890, of the acceptance of this proposition, and of the conditions upon which the same is accepted, and to be released from all further liability upon the two contracts of lease from and after the date of said proposed surrender.

Very respectfully,

MASON & FOARD CO.

CHAS. E. HOGE, *President*.

Mr. Breckinridge moved that the further consideration of said communication be postponed, and that it be made the special order of the day for Monday, May 12th, 1890, at 12 o'clock M.

Mr. Newman moved that said communication be referred to a special committee of five Senators, to be appointed by the Speaker, with leave to report the same back to the Senate at any time.

Mr. Hendrick moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

And the question being taken on the motion made by Mr. Breckinridge, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	D. W. Wright—5.
R. J. Breckinridge,	D. L. May,	

Those who voted in the negative, were—

Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	Jas. H. Mulligan,	B. F. Reynolds,
F. W. Darby,	John McCann,	Phil. Roberts,
W. W. Dickerson,	John P. Newman,	A. H. Stewart,
William Goebel,	Chas. Patteson,	J. S. Wortham—20.
R. G. Hays,	J. J. Paul,	

The question was then taken on the motion made by Mr. Newman, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of the rules of the Senate, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	D. L. May,	Chas. B. Poyntz,
F. W. Darby,	Jas. H. Mulligan,	B. F. Reynolds,
W. W. Dickerson,	John McCann,	Phil Roberts,
William Goebel,	Chas. Patteson,	A. H. Stewart,
R. G. Hays,	J. J. Paul,	J. S. Wortham—19.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	John K. Hendrick,	D. W. Wright—4.
R. J. Breckinridge,		

The Speaker of the Senate in pursuance of said motion, announced the appointment of Messrs. Newman, Dickerson, Darby, McCain and Shearer as said committee, to whom said communication was referred.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 3, 1890. }

Gentlemen of the Senate and House of Representatives :

The people of the Commonwealth in adopting their organic law, have seen fit to prescribe and limit the duties both of the legislative and executive departments of the State government. Each is restricted to the proper exercise of the duties assigned by that instrument to the respective departments, and neither department can properly impose upon the other any duty in addition to those distinctly prescribed in the Constitution.

No authority is given to the General Assembly to add to the duties imposed by the people on "the supreme Executive power of the Commonwealth." If they could impose a single extra constitutional duty on the Executive they could impose duties without limit, and thus defeat the objects of the people who defined precisely the duties of his office.

The General Assembly, from time to time, has appointed certain specific duties to be performed by the Governor ; but these acts have been regarded by my predecessors, and by the present Executive as expressions of a desire on the part of the legislative department, and not the exercise of a constitutional power on their part. As long as the duties thus proposed were not incompatible with those prescribed by the people, courtesy to the legislative body and a regard for the public interests have alike commanded a ready acquiescence with the expressed wishes of the General Assembly.

But when such compliance on the part of the Executive becomes simply the pretext for unjust aspersions or for intemperate criticisms enunciated in the license of debate, it is proper that the Executive of the State should limit the discharge of his duties to the strict requirements of the Constitution, and to decline to enter upon the discharge of any extra constitutional duty proposed by the General Assembly. Especially should this be done when there may be such a conflict between these two classes of duty as may seriously interfere with the constitutional demands on his office.

Amongst other duties of this character proposed for the Executive are those prescribed in the General Statutes, where the Governor is constituted one of the Commissioners of the Sinking Fund and *ex officio* director of the Kentucky Penitentiary, and the requirements of the act of May 4, 1888, where he is constituted a *quasi* supervising architect of a public structure.

Actuated by a regard for the public welfare, and desiring to comply with the wishes of the Legislature, the Executive has discharged the duties of these positions, which are alike disagreeable and onerous, with such ability as he possesses, with entire fidelity to duty, and, he believes, with great advantage to the public. But since the recent discussions in the House of Representatives in regard to his connection with these positions he feels that an official who has a proper sense of the duties of the high office which has been constituted to represent, in some degree, the dignity of the people, should no longer permit it to be dragged in the mire of partisan discussion by consenting that its duties should be so far perverted from the expressed purposes of the framers of the Constitution.

In obedience, therefore, to the duty I owe the people of the Commonwealth, I respectfully announce to the General Assembly my resignation of all other connection with the duties of the Commissioners of the Sinking Fund and of the construction of the branch penitentiary, except those prescribed by the Constitution. The announcement is made at this time that you may adopt such measures as you may deem appropriate to fill the vacancies occasioned by my resignation of the office of Commissioner of the Sinking Fund and *quasi* director of the construction of the branch penitentiary.

Very respectfully,

S. B. BUCKNER.

On motion of Mr. Mulligan—

Ordered, That said message be referred to the Committee on the Judiciary.

Mr. Wortham moved to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act for the protection of the Mammoth Cave, and the Mammoth Cave estate, in Edmonson county,

Which motion was simply entered.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution appropriating money to repair the Clay Monument,

Reported the same without amendment.

Said resolution reads as follows, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the sum of five hundred and fifty dollars be, and the same is hereby appropriated, for the purpose of making necessary repairs upon the Clay Monument in the cemetery at Lexington, Kentucky. The Auditor is directed to draw his warrant upon the Treasurer for said sum, to be paid out of any money in the Treasury not otherwise appropriated. Said warrant shall be drawn in favor of the Trustees of the Lexington Cemetery Company, paid over to them and be applied by them in making said repairs.

Should any surplus remain in their hands after meeting the present exigencies, then said trustees shall hold whatever bal-

ance may thus remain and apply the same in further repair upon said monument, as from time to time it may require attention.

This resolution shall take effect from and after its passage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	Chas. Patteson,
Ben F. Bradley,	J. B. Hannah,	J. J. Paul,
R. J. Breckinridge,	John K. Hendrick,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	Charles B. Poyntz,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	D. L. May,	Phil Roberts,
W. W. Dickerson,	Jas. H. Mulligan,	A. H. Stewart,
G. W. Gates,	John McCann,	J. S. Wortham,
William Goebel,	John P. Newman,	D. W. Wright—27.

In the negative—none.

Resolved, That the title of said resolution be as aforesaid.

Mr. Conner moved to take from the table a bill, which originated in the Senate, entitled

An act to incorporate the Florence and Covington Street Railway Company.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Dickerson moved that the session of the Senate be extended for thirty minutes.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved to reconsider the vote by which the Senate had extended the session for thirty minutes.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of R. J. Cassidy, of Fayette county, Kentucky,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

The Senate, according to order, took up for consideration a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of J. A. Board, of the county of Marion.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to reduce into one all the acts in relation to the town of Irvine, in Estill county, and to amend same, and to extend the limits of said town,

Reported the same, without amendment.

On motion of Mr. Roberts—

Ordered, That said bill be recommitted to the Committee on Propositions and Grievances.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act relating to branding logs on Kentucky and Cumberland rivers," approved May 15, 1886.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several

committees, which were directed to prepare and bring in the same, viz :

By Mr. Berry, from the Committee on Federal Relations—

An act to amend section 32 of an act, entitled “An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same,” approved April 24, 1884.

By Mr. Darby, from the Committee on Education—

An act to incorporate Taylor Academy, in Campbellsville, in Taylor county.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the city Covington.

By same—

An act to amend an act, entitled “An act to amend an act, entitled ‘An act to prevent base ball playing, on Sunday, in Kenton county,’ ” approved March 6, 1882.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act amending the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the city of Louisville and directory to the Board of Commissioners of Public Charities, of said city.

Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Central City Mineral Railroad Company.

By same—

An act to incorporate the Hodgenville and Glasgow Railroad Company.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to exempt any railroad that may be hereafter built in Muhlenburg county, Kentucky, from any tax that may be levied to pay the debt, or any part thereof, created by subscriptions of said county to the Elizabethtown and Paducah Railroad Company, but not to exempt said railroads to be built from any other tax.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Southern Railway News Company.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act to establish two voting places in justice's district No. 5, in Elliott county.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend section 4 of chapter 148 of the Acts of 1844-5.

By Mr. Goebel, from the Committee on Courts of Justice—

An act for the benefit of B. F. Jenkins, of Elliott county.

By Mr. Hannah, from the same committee—

An act to extend the corporate limits of the city of Ashland, in Boyd county, Kentucky.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to amend an act resubmitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county," approved March 15, 1890.

By Mr. McCann, from the Committee on Courts of Justice—

An act to incorporate the Southwestern News Company.

By Mr. Wright, from the Committee on General Statutes—

An act to amend the charter of the Louisville Southern Railroad Company.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to permit the booming of the tributaries of Licking river, in the counties of Rowan, Morgan, Menefee and Magoffin.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Pieratt—

1. A bill to provide for the adoption and use of trade marks for timber dealers, and for the punishment of persons defacing or destroying the same, or fraudently divesting timber of the same.

On motion of same—

2. A bill to permit the booming of the tributaries of Licking river, in the counties of Rowan, Morgan, Menefee and Magoffin.

On motion of Mr. Dickerson—

3. A bill to incorporate the Cumberland River Coal and Mining Company.

Ordered, That the Committee on Religion and Morals prepare and bring in the 1st and 2d, and the Committee on Revenue and Taxation the 3d.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz :

By Mr. Darby, from the Committee on Education—

An act to amend an act, entitled “An act to establish a system of common schools in the town of Corydon, Henderson county,” approved March 25, 1872, and the acts amendatory thereof.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to provide for a registration of voters in the city of Covington.

By same—

An act defining the rights and powers of the county of Kenton in turnpike road companies, in Kenton county, to the construction of which roads said county has contributed money.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to amend an act, entitled “An act to empower the County Court of Pendleton county to make subscriptions to the capital stock to turnpike roads in said county, approved March 15, 1878, and an act amendatory thereto,” approved April 1, 1886.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to amend an act, to amend an act, entitled “An act to amend and reduce into one the acts in relation to the town of Harrodsburg,” approved April 1, 1882.

By Mr. Breckinridge, from the Committee on Railroads—

An act to incorporate the Louisa and Southeastern Railroad Company.

By Mr. Hendricks, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to incorporate the town of Wallonia, Trigg county,” approved March 16, 1878.

By Mr. Darby, from the committee on Codes of Practice—

An act to amend an act, entitled “An act to charter the Butler and Boston Turnpike Company, in Pendleton county,” approved April 13, 1888.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to prohibit the sale of any spirituous, vinous or malt liquors in a less quantity than five gallons within a radius of one mile of Macedonia Baptist Church, in Grant county, and to prescribe a penalty therefor.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Union Building and Loan Association.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to incorporate the town of Cerulean Springs, in the county of Trigg,” approved March 9, 1880.

By same—

An act to empower the police court of the town of Kuttawa to work parties that have been convicted of misdemeanors upon the streets of said town.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Chemical Bank of Lawrenceburg.

By Mr. Hannah, from the Committee on Courts of Justice—

An act to amend the charter of the city of Ashland.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to create the sixth magisterial or justice district in Anderson county, and to fix the place of voting therein.

By Mr. Hendrick, from the same committee—

An act to change the voting place in the second magisterial district in Lyon county, from the Tennessee Rolling Mill to Confederate, in the same district.

By same—

An act to incorporate the town of Pleasant Valley, in Carter county.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to incorporate the Bellmont and Flag Spring Turnpike Road Company, in Campbell county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to change the boundary line of the town of Beattyville, and increase the license of vendors of spirituous, vinous and malt liquors, etc.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to prohibit the killing of quail or partridges or other small game upon certain farms in Lincoln county.

By Mr. Paul, from the Committee on Codes of Practice—

An act to incorporate the Barbourville Water-works Company.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Commercial Travelers' Benevolent Society, of America.

By Mr. Poyntz, from the Committee on Finance—

An act to incorporate the Petersville and North Fork Bridge Turnpike Road Company, in Lewis county.

By same—

An act to incorporate the Cove Dale and Ohio River Turnpike Road Company, in Lewis county.

By Mr. Mulligan, from the Committee on the Judiciary—

An act declaring a certain order of the Larue County Court valid and binding.

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company," approved March 10, 1888.

By Mr. Breckinridge, from the same committee—

An act to incorporate the Sacramento and Central City Railroad Company.

By Mr. Wright, from the Committee on General Statutes—

An act to amend chapter 73, section 15, General Statutes.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act for the benefit of all persons residing inside the corporation of the town of Florence, liable to work on the public roads in Boone county,

By same—

An act to amend an act, entitled "An act creating a new charter for the town of Warsaw, in Gallatin county."

By Mr. Goebel, from the Committee on Courts of Justice—
An act to amend the charter of the city of Covington.

By Mr. Hannah, from the same committee—

An act authorizing the board of commissioners or court of levy and claims of Martin, Johnson, Floyd, Pike, Lawrence, Boyd, Letcher and Knott counties to apply the county tax on any railroad built into or through said counties in payment of expenditures for right of way.

By Mr. Bradley, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Lexington City Railway Company.”

By same—

An act to incorporate the Louisa Street Railway Company.

By same—

An act to incorporate the Pineville, Mt. Pleasant and Big Stone Gap Railway Company.

By same—

An act to incorporate the Hardinsburg and Cecelia Railroad Company.

With amendments to the six last-named bills.

Which were adopted.

Ordered, That said bills, the six last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Breckinridge moved that when the Senate adjourns for the day, that it be to meet on Monday, May 5, 1890, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

MONDAY, MAY 5, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Nelson County Trust Company.

An act to incorporate an institution of learning, at the town of Monroe, Hart county, under the name and style of Monroe Institution of Hart County.

An act to incorporate the Deposit Bank of Stanton, at Stanton, Powell county.

An act to incorporate the Three Forks Belt Line Railroad Company.

An act to amend the charter of the town of Glasgow Junction, in Barren county.

An act to incorporate the Cloverport Bank and Trust Company.

An act to amend the charter of the Evansville Bridge Company.

An act to further amend the act to incorporate the town of New Castle, in Henry County.

An act to incorporate the Mutual Savings Bank, of Louisville, Kentucky.

An act to prevent false timing at trotting contests, in the Commonwealth of Kentucky.

An act to incorporate the town of Zion, in Henderson County, Kentucky.

An act to amend an act, entitled "An act to incorporate the Jellico Mountain Coal and Coke Mining and Transportation Company.

An act to incorporate the Mt. Sterling Water Works Company.

An act to allow the legal voters within the corporate limits of

the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinuous or malt liquors shall be sold within said town.

An act to incorporate the Mechanics' Bank and Trust Company, of Mt. Vincent, Kentucky.

An act to incorporate the Cane Ridge and Rogers Creek Turnpike Company, in Bourbon county.

An act to permit magisterial districts in the county of Boone, to vote on bridge tax and build bridges.

An act to amend act, entitled "An act to repeal the charter of the city of Henderson and the acts amendatory thereto, and to re-incorporate the said city of Henderson," approved April 9, 1888.

An act to authorize the sale of the Mill Grove and Kirksville Turnpike road, in Madison county, and its franchises and privileges.

An act for the benefit of the Kentucky Institute for Deaf Mutes.

An act to amend an act, entitled "An act to amend an act, entitled, "An act to regulate the sale of spirituous vinuous, and malt liquors in Woodford county," which became a law April 21, 1888, and the act amendatory thereof, approved April 27, 1888, which act was approved April 3, 1890.

Resolution asking an appropriation from Congress for the improvement of Licking river.

An act for the benefit of Walter F. Park and wife, of Elliott county.

An act to incorporate the United Hebrew Relief Association of Louisville.

An act to amend the charter of the town of California, in the county of Campbell.

An act to provide for the registration of voters in the county of Powell.

An act to amend an act to incorporate the Cumberland Railroad Company.

An act to incorporate the Bank of Garfield, at Prestonsburg, in Floyd county.

An act to incorporate the Masonic Temple Company, of Richmond, Kentucky.

An act to authorize the Hardin County Court to levy an ad valorem tax.

An act to amend an act, entitled "An act to regulate voting at primary elections, and to prevent fraud therein for the benefit of Harrison, Bourbon, Campbell and Kenton counties," approved April 19, 1880, and to apply the provisions thereof to Pendleton county.

An act authorizing and empowering the Court of Levy for Bracken County to subscribe and take stock in certain turnpike roads.

An act to authorize the Wolper Creek Turnpike Road Company to collect toll, when the bridge is out of repair, provided they make a good passway around the same.

An act declaring Little Barren River a lawful fence from its mouth to Osceola, in Green county, Kentucky.

An act to incorporate the Hebron and Burlington Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the city of Paris," which became a law March 28th, 1890.

An act to amend "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1882.

An act to charter the Mt. Pleasant Cemetery Company, in Ballard county.

An act to amend an act, entitled "An act to incorporate the Campbell County Protestant Children's Home," approved April 3, 1884.

An act to amend an act, entitled "An act to prevent farm stock from running loose within the corporate limits of the town of Ghent."

An act to incorporate the town of Lily, in Laurel county.

An act to change the county line between the counties of Lee and Estill.

An act to incorporate the Falmouth Electric Light, Heating and Motive Power Company.

An act for the benefit of the Paducah Jockey Club and Fair Association, at Paducah, Kentucky.

An act to incorporate the "Bank of Hazel Green," at Hazel Green, Kentucky.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to make county surveyor's office in Todd county compatible with that of deputy county court clerk, and to ratify work already done.

An act to incorporate Oil City, in Barren county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the city of Maysville, in Mason county.

An act for the benefit of S. S. Fitzpatrick, of Hart county.

An act to incorporate the Uniontown and Clarksville Railroad Company.

An act to amend an act, entitled "An act to incorporate the Ashland Water Supply Company," approved April 3, 1890.

An act to amend section 5, chapter 70, of the General Statutes.

An act to add Morgan county to the Court of Common Pleas District composed of the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott, and fix a time to hold the Common Pleas Court therein.

An act requiring safety gates and a watchman to be kept at the crossing of the Maysville and Big Sandy Railroad and the Maysville, Orangeburg and Mt. Carmel Turnpike Road, in the town of Chester, in Mason county.

An act to incorporate the North Kentucky Agricultural and Breeders' Association, near Walton, in Boone county.

An act to incorporate the Harness Makers' Benevolent and Protective Union, of Louisville, Kentucky.

An act to incorporate the Clay City Bank and Trust Company.

An act to incorporate the American-German Bank, at Paducah.

An act to incorporate the Kentucky Netherlands Trust Company.

An act to incorporate the Silver Cliff Bank, of Kuttawa.

An act to establish an additional magistrate district, in Daveiss county.

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county, Kentucky," approved April 21, 1884.

An act to amend the charter of the town of Kirkmansville, in Todd county, passed April 7, 1882.

An act to amend an act, entitled "An act for the benefit of Jefferson county (road law)," approved February 26, 1890.

An act to amend section 32 of an act, entitled "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same," approved 28th April, 1884.

An act to incorporate Taylor Academy, in Campbellsville, Taylor county.

An act to provide for a registration of voters in the city of Owensboro.

An act to regulate municipal elections in the city of Owensboro.

An act to amend an act to incorporate the Paducah Hotel Company.

With an amendment to the last-named bill.

Ordered, That said last-named bill, together with the pending amendment, be referred to the Committee on Agriculture and Manufactures.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Fordsville Land Development and Improvement Company.

2. An act fixing the compensation of the Jessamine Circuit Court Clerk for making a general index of the records of his office.

3. An act to incorporate the C. T. Rice Cemetery Company, near Union, in Boone county.

4. An act to amend the charter of the Fidelity Trust and Safety Vault Company.

5. An act to amend the charter of the Liberty and Middlesburg Turnpike Road Company.

6. An act to incorporate the Home Deposit and Trust Company.

7. An act to incorporate the Flat Creek and Bald Eagle Turnpike Road Company, in Bath county.

8. An act to incorporate the Citizens' Bank of Ashland, Kentucky.

9. An act to amend an act, entitled "An act to prohibit the

sale and use of spirituous, vinous and malt liquors in the county of Rowan, and submitting the further adoption of said act to the qualified voters of said county.”

10. An act to incorporate the Sinking Creek Turnpike Company.

11. An act to incorporate the Carthage Cemetery Company, in Campbell county.

12. An act to amend the charter of the city of Owensboro.

13. An act to incorporate the city of Deanfield, in Ohio county, Kentucky.

14. An act for the benefit of school district No. 85, in Daveiss county, Kentucky.

15. An act to amend an act to provide for the election of, and in part define the duties of a mayor, board of councilmen and school trustees of the city of Frankfort, and to provide for the establishment of a board of commissioners to control the police and fire departments thereof, and define their duties, approved April 30, 1888.

16. An act to incorporate the Eminence Mutual Live Stock Insurance Company, of Kentucky.

17. An act to incorporate the Roberts' Road and Hunter's Ferry Turnpike Road, in Jessamine county.

18. An act to authorize the County Court of Lincoln county to pay A. M. Feland the amount over paid by said Feland, as late sheriff of said county, money due him for the years 1876 and 1877.

19. An act to enable Logan county, to work upon its public roads, its delinquents in the payment of the county levy tax.

20. An act to amend an act, entitled “An act to establish a system of common schools in the town of Beech Grove, McLean county, approved April 22, 1882, and to repeal an act amendatory thereto,” approved March 25, 1890.

21. An act to incorporate the Meade County Fair Association.

22. An act incorporating the Harrodsburg Saving and Deposit Bank and Trust Company.

23. An act to amend an act, entitled “An act to incorporate the Eldorado and Dugansville Turnpike Road Company.

24. An act to amend the charter of the town of Rockport, in Ohio county.

25. An act to increase the jurisdiction of the magistrates to two hundred dollars in the county of Trigg.

26. An act to prohibit the sale of spiritous, vinous or malt liquors within one mile of Montpelier, Adair county.

27. An act to incorporate the Inter-state Tunnel Railway Company.

28. An act to amend the charter and change the title of the Louisville Southeastern Railroad Company.

29. An act to incorporate the St. Patrick's Total Abstinence Society, of the Church of Saint James, Brooksville, Kentucky.

30. An act to amend the charter of the South Covington and Cincinnati Street Railway Company.

31. An act to incorporate the Cemetery of St. Stephen.

32. An act to incorporate the Coldwater Manufacturing Company.

33. An act to declare Bear Pen creek, in Wolfe county, a navigable stream.

34. An act declaring Swifts Camp creek, in Wolfe county, a navigable stream.

35. An act to charter the Elkhorn City Boom Company.

36. An act to cede to the United States, jurisdiction over a site for a public building in the city of Richmond, Kentucky.

37. An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890.

38. An act to incorporate the Kentucky Real Estate and Loan Company.

39. An act concerning the Latonia Agricultural and Stock Association.

40. An act to prevent the sale or furnishing of any spirituous, vinous or malt liquors, or any mixture thereof, or any intoxicating drink, within four miles of any voting place in Green, Metcalfe or Monroe counties, Kentucky, on any regular election day.

41. An act to establish a graded school in common school district No. 1, in Leslie county.

42. An act to amend an act, entitled "An act to amend the charter of the town of Parkland, Jefferson county," approved April 5, 1888.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 12th, 13th, 20th, 24th, 30th, 37th and 39th to the Committee on Courts of Justice; the 3d, 35th and 40th to the Committee on Propositions and Grievances; the 4th, 6th, 8th, 16th, 22d and 38th to the Committee on Banks and Insurance; the 5th, 15th, 18th, 23d and 25th to the Committee on the Judiciary; the 7th, 10th, 17th, 36th and 42d to the Committee on Internal Improvements; the 9th, 26th, 31st, 33d and 34th to the Committee on Religion and Morals; the 11th to the Committee on Immigration and Labor; the 14th and 41st to the Committee on Education; the 19th to the Committee on General Statutes; the 21st and 32d to the Committee on Agriculture and Manufactures; the 27th and 28th to the Committee on Railroads, and the 29th to the Committee on Revenue and Taxation.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz:

By Mr. Pieratt, from the Committee on Religion and Morals—

An act concerning the financial board of the Southern Baptist Theological Seminary.

By Mr. Peterman, from the Committee on Education—

An act to amend the charter of the Kentucky Female Orphan School, located at Midway, Woodford county.

By Mr. Dickerson, from the Committee on Codes of Practice—

An act to regulate tolls upon turnpike roads in Bracken county,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Wortham—

1. A bill to incorporate the Grayson County Fair Company.

On motion of Mr. Paul—

2. A bill, entitled "An act to create a board of commissioners for Bell county, and define their duties."

On motion of Mr. Mulligan—

3. A bill to amend the articles of incorporation of the Louisville Stave and Lumber Company.

Ordered, That the Committee on Agriculture and Manufactures prepare and bring in the 1st; the Committee on General Statutes the 2d, and the Committee on Banks and Insurance the 3d.

Mr. Mulligan, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to establish the Lexington Police and Fire District, in Fayette county, and to provide for the government thereof," approved February 27, 1886,

Reported the same without amendment.

Mr. Mulligan proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Mulligan moved to reconsider the vote by which the Senate had passed said bill,

Which motion was simply entered.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 3, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for

the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Jim Bradshaw, Adair county.
Z. M. Caudill, Johnson county.
James A. Clark, Clay county.
Samuel H. Hanner, Hopkins county.
H. T. Hamilton, Hart county.
C. H. Lee, Jr., Pendleton county.
J. L. McCoy, Boyd county.
Jacob Simpson, Jackson county.
W. T. Woodard, Fayette county.
S. T. Randle, Fulton county.
Geo. T. Rodgers, Adair county.
Geo. E. Root, Jefferson county.
J. R. M. Roney, Bullitt county.
E. O. Reid, Hickman county.
Chas. B. Reed, Kenton county.
Nick Ray, Jefferson county.
Randolph Reutlinger, Jefferson county.
T. L. Robertson, Livingston county.
Richard J. Raymond, Bullitt county.
W. W. Snowden, Clark county.
Jos. B. Strouse, Jefferson county.
John Schwarz, Jefferson county.
J. F. Webster, Harrison county.
H. A. Williams, Johnson county.
J. L. Wright, Adair, Clinton, Cumberland, Monroe, Russell
and Wayne counties.
J. S. Weddle, Pulaski county.
Preston White, Trigg county.
Jno. J. Weisen, Jefferson county.
J. Wesley West, Garrard county.
Edward T. Warren, Green county.
Edward R. Weir, Muhlenburg county.
John B. Williams, Franklin county.
W. P. Chelf, Casey county.
Geo. S. Fulton, Nelson county.
J. F. Gadberry, Casey county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Mr. Lindsay presented the remonstrance of sundry citizens of Tyrone, Anderson county, protesting against the passage of an amendment to the charter of Tyrone.

On motion of Mr. Lindsay—

Ordered, That said remonstrance be referred to the Committee on General Statutes.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to amend and change the boundary lines of the corporate limits of the town of Mt. Pleasant, in Harlan county ;

An act to legalize an appropriation of fifteen hundred dollars and the levy of an ad valorem tax of eight cents on each one hundred dollars' worth of taxable property in Crittenden county, Kentucky, made by the county court of said county for the benefit of those who suffered from the cyclone ;

An act to provide for the election of a board of auditors for the town of Central City, Muhlenberg county, Kentucky, and to define the duties of said board ;

An act to incorporate the town of Defoe, in Henry county ;

Resolution for the benefit of J. B. Williams, of the county of Marion ;

An act to incorporate the Louisa Water Company ;

An act to incorporate the Shelbyville Water-works Company, and to authorize the city of Shebyville to take stock therein ;

An act imposing a tax on dogs, and providing for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth ;

Resolution for the benefit of J. F. Flanagan, of the county of Marion ;

Resolution for the benefit of John B. Carlisle, of Marion county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to further amend act, entitled 'An act to amend and reduce into one the several acts organizing and regulating the Lunatic Asylums of this State,' " approved March 20, 1876, approved May 12, 1884 ;

An act to amend the charter of Bedford, Trimble county ;

An act to incorporate the Pineville Water Company, of Bell county ;

An act to incorporate the Princeton Street Railway Company ;

An act to incorporate the Louisville, Covington and Cincinnati Railroad Company ;

An act to amend the charter of the Bardstown Cemetery Company ;

An act to incorporate the Louisville, St. Louis and Nashville Railway Company ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Edward N. Wilson, of Bourbon county ;

Which was granted.

Whereupon the Speaker appointed Mr. Cockrell said committee on the part of the Senate.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, May 5, 1890. }

Gentlemen of the Senate and House of Representatives :

It becomes my painful duty to announce to the General Assembly the sudden death in Washington City on the afternoon of the third of the present month of the Hon. James Beck, senior Senator from Kentucky in the Congress of the United States.

The official life of Senator Beck is the history of public duty discharged with entire fidelity and conspicuous ability. Honored by the people of the Commonwealth, his great services have reflected honor upon them, and the example of his life and his patriotic teachings will leave their impress upon remote posterity.

It is in every way appropriate that we of his own generation, who have been fortunate enough to be permitted to admire the virtues of one so distinguished when living, should give expression to our sorrow at the loss which the Commonwealth has sustained in the death of this eminent citizen and able defender of the rights of the people.

It is expected that the funeral cortege will reach Lexington about noon on Wednesday next, and that the funeral will take place on the following day.

Very respectfully,

S. B. BUCKNER.

As reflecting the action of the Senate on said message, Mr. Lindsay read and laid on the table the following joint resolution, viz:

WHEREAS, Information having come to this General Assembly of the death of the Honorable James B. Beck, a Senator representing the Commonwealth of Kentucky in the Congress of the United States, it is proper that the two Houses shall express their appreciation of the calamity that has befallen the country, and take the necessary steps to manifest the respect, esteem and love of the people of Kentucky for this great and good man, therefore be it

Be it resolved by the General Assembly of the Commonwealth of Kentucky: 1. That in the death of James B. Beck, the country at large sustains the loss of an enlightened and patriotic statesman, and the State of Kentucky its most distinguished citizen. Patient, laborious and intellectual, he brought to the discharge of his duties all the great powers, moral and mental, with which he was gifted by nature, and all the stores of political information he acquired by the untiring and unceasing industry for which he was so exceptionally distinguished. He was the champion and defender of the unrepresented people of the South in their darkest hours of adversity, and by his able and zealous services in their behalf, deserved and secured their lasting gratitude. The adopted son of this Commonwealth, he gave to Kentucky and the people of Kentucky all the love of his strong and manly nature, and in return received the affectionate

confidence and esteem of Kentuckians to an extent that has not been exceeded by any man, living or dead. As the representative of the Ashland District in the House of Representatives, and as a Senator sitting for Kentucky in the Congress of the United States he was equal to every occasion, and upon many of the great questions of the day was a recognized leader without a peer in either of the great political parties. By his great public service, his devotion to duty and his love of country, he won national fame for himself, and reflected unmeasured honor and glory upon his people and his State, and dying, he leaves no one able to fill his place.

2. *Be it further resolved*, That the Governor of the Commonwealth be, and he is requested, to cause the public buildings at Frankfort to be appropriately draped in mourning, with flag at half mast, for a period of thirty days; that a joint committee of thirteen, five from the Senate and eight from the House of Representatives, to be named by the speakers of the respective Houses, be, and the same is hereby, raised with the Sergeant-at-arms of the two Houses to meet the remains of the distinguished dead at the eastern border of Kentucky, and to accompany them as an escort of honor, on the part of Kentucky, to their final resting place, that the Governor of the Commonwealth, the Lieutenant-Governor and the Speaker of the House of Representatives, are each requested to accompany and act with the said committee, and that the General Assembly attend in a body the funeral ceremonies.

3. That these resolutions take effect from their adoption, and that a copy be forwarded to the family of the deceased, certified by the great seal of the Commonwealth.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and unanimously adopted.

Ordered, That said resolution be reported to the House of Representatives,

Which was done.

After a short time, a message was received from the House of Representatives by Messrs. Cox, Gay and Walker, announcing that they had concurred in the adoption of a joint resolution, which originated in the Senate, entitled

Resolution in respect to the death of Hon. James B. Beck.

In pursuance of the provisions of the aforesaid resolution, the Speaker appointed Messrs. Lindsay, Mulligan, Hendrick, Dickerson and Anderson as the committee on the part of the Senate, to act with a like committee of the House of Representatives, to meet the remains of Hon. James B. Beck at the

eastern border of Kentucky, and to accompany them as an escort of honor on the part of Kentucky to their final resting place.

Mr. Newman moved that as a mark of respect to the memory of Hon. James B. Beck, the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

TUESDAY, MAY 6, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to reduce into one all acts in reference to the town of Pewee Valley, and to more clearly define the boundary of said town.

An act to incorporate the Cynthiana Western Railroad Company.

An act to prohibit the sale of spirituous, vinous, malt or intoxicating liquor, or the mixture of either, in the county of Morgan, and to prescribe a penalty therefor.

An act to further regulate municipal elections in the city of Covington.

An act to amend the charter of the town of Sebree City, in Webster county.

An act to incorporate the Hardinsburg and Cecelia Railroad Company.

An act requiring the road supervisors of Henderson county to be elected by a direct vote of the people,

With an amendment to the amendment to the last-named bill,
Which was taken up and concurred in.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of H. E. Ferguson, of Monroe county.

An act for the benefit of Elizabeth H. Reed.

An act to incorporate the Springfield and Cartwright's Creek Turnpike Road Company, in Washington county.

An act to amend an act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county." approved March 15, 1890.

An act to incorporate the Burlington Hotel and Livery Stable Company, in Burlington, Boone county, Kentucky.

An act to prohibit the sale of spirituous, vinous and malt liquors and the mixtures thereof within one mile of Bethany Church at Holbrook, in Grant county.

An act to authorize Warren county to purchase and make free, turnpike roads therein, and to that end to issue the bonds of said county.

An act to amend an act to incorporate the People's Bank of Owensboro.

An act to authorize the building of turnpike roads in Kenton county, and to provide for the payment of the same.

An act to authorize the board of council of the town of Danville to close up so much of cemetery street as lies within the limits of the cemetery property.

An act to incorporate the Bank of Allen county.

An act for the appointment of official reporters for the Fourth Judicial District, composed of the counties of Daveiss, McLean, Ohio and Hancock, and for the preservation of evidence in certain cases.

An act for the benefit of Poplar Plains and Tilton Turnpike Road Company of Fleming county.

An act to define the county line of Estill county.

An act to incorporate the Falls of Rough Water Company.

An act to incorporate the Falls of Rough Banking Company.

An act to attach Owsley county to the 17th Senatorial District.

An act to incorporate the People's Bank of Winchester.

An act to incorporate the Winchester Water Company.

An act to incorporate the banking house of Wilson & Muir.

An act to repeal section 5 of an act, entitled "An act to incorporate the Paducah Wooden-ware Manufacturing Company, of the city of Paducah."

An act incorporating the Henderson Fair Association.

An act to amend an act to incorporate the town of Clifton, in Jefferson county, approved April 4, 1884.

An act to amend the charter of the American Gas and Mineral Company.

An act to amend an act amending the charter of the German Savings and Homestead Fund Company, approved April 3, 1890.

An act to establish two voting places in justices' district No. 5, in Elliott county.

An act to amend section 4 of chapter 148 of the Acts of 1844-5.

An act for the benefit of B. F. Jenkins, of Elliott county.

That they had passed, with amendments thereto, bill, which originated in the Senate, of the following titles, viz :

1. An act appointing commissioners to select, locate and designate a place whereon to build the court-house, clerks' offices and jail of Magoffin county, in the corporate limits of the town of Salyersville.

2. An act to authorize and empower the Court of Levy and Claims, of Floyd county, to sell and convey the old court-house property in the town of Prestonsburg.

3. An act to incorporate Pleasant J. Potter College.

4. An act to incorporate the Princeton Belt Railway Company.

Said bills, together with the amendments thereto, were referred—the 2d, to the Committee on Courts of Justice; the 3d to the Committee on Education; the 4th to the Committee on Railroads, and the amendment to the first named bill was taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act to incorporate the town of Petroleum, in Allen county.

2. An act to provide compensation for persons required to appraise real estate before the same is offered for sale under order of court, or a judgment of court, in the city of Louisville and county of Jefferson.

3. An act to provide for the punishment of petit larceny or wife beating, in Crittenden county.

4. An act prescribing the liability of railroad companies, or persons owning same, to the owners of stock killed or damaged by railroad cars, in the county of Crittenden.

5. An act to distribute the seminary fund in Marshall county among the several school districts of said county.

6. An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county," approved February 17, 1871.

7. An act to incorporate the Bond's Mill and Wilson's Ferry Turnpike Road Company, in Anderson county.

8. An act to change the line between the counties of Mercer and Anderson.

9. An act to amend the charter of the village of Cote Brilliante, in Campbell county.

10. An act to regulate turnpike roads and tolls upon the same in Kenton county.

11. An act to amend the charter of the town of West Covington.

12. An act to authorize the people in Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts.

13. An act to incorporate the Farmers' Bank of Liberty.

14. An act to authorize the Lewis County Court to provide for the erection of a bridge over Scaffold Lick Creek, in Quincy precinct.

15. An act for the benefit of Christian College, Hustonville, Kentucky.

16. An act to change and define the boundary line of justice's district No. 3, known as Sharp's, in Mercer county.

17. An act to incorporate the Barbourville Gas Light Company.

18. An act to incorporate the Barbourville Safety Vault and Trust Company.

19. An act to incorporate the Knox County Fair and Exhibition Association.

20. An act to amend the charter of the Barbourville Street Railroad Company.

21. An act to incorporate the Middle Jellico Coal and Coke Company.

22. An act to incorporate the Smoke King Company of Louisville, Kentucky.

23. An act to prevent stock from running at large in the county of Bath.

24. An act to change and fix the place of voting in district No. 4, in Morgan county.

25. An act to protect the owners of horses, cattle or other stock which may be killed or injured by any railroad in Caldwell county, in the State of Kentucky.

26. An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof in common school district No. 26, in Calloway county.

27. An act requiring tavern keepers in the county of Lee to pay county license.

28. An act to incorporate the Vine Grove Banking Company.

29. An act, entitled "An act to amend an act, entitled 'An act to provide for the funding and payment of the debts of Harrison county.'"

30. An act to enable the board of trustees of the town of Dover, in Mason county, Kentucky, to issue bonds of said town for the improvement of the town of Dover, and in aid of the establishment of manufactories in said town.

31. An act to incorporate the Falmouth Milling Company, in Pendleton County.

32. An act to establish a public ferry at or near Pond Creek, Pike county.

33. An act to incorporate the Traders and Deposit Bank.

34. An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company.

35. An act to revise and re-enact an act to incorporate the Consumer's Gas Light Company, of Covington.

36. An act to incorporate the Oakland and Stewart's Ford Turnpike Company, in Warren county.

37. An act to prevent stock from running at large in the vicinity of, or trespassing on, the German Roman Catholic Cemetery, in Kenton county.

38. An act to incorporate the Town and Investment Company, of Irvine.

39. An act to authorize the consolidation of the town of Chester with the city of Maysville, in Mason county.

40. An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Morgantown, Kentucky."

41. An act to incorporate the Bank of Fort Jefferson, at the city of Fort Jefferson, Ballard county.

42. An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky.

43. An act to incorporate the Kentucky Banking Company.

44. An act to amend an act incorporating New Farmers' Bank of Mt. Sterling, Kentucky, and granting it power to change its name, and granting it the powers and privileges of the Three States Banking and Trust Company, of Middlesborough, Kentucky.

45. An act to incorporate the Kentucky and Missouri Bridge Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 2d, 10th, 11th, 34th, 35th and 37th to the Committee on Courts of Justice; the 3d, 6th and 17th to the Committee on Codes of Practice; the 4th, 21st, 25th and 36th to the Committee on General Statutes; the 5th to the Committee on Education; the 7th, 8th, 15th and 16th to the Committee on the Judiciary; the 9th to the Committee on Immigration and Labor; the 12th to the Committee on Public Expenditures; the 13th, 18th, 28th, 33d, 38th, 41st, 43d and 44th to the Committee on Banks and Insurance; the 14th, 30th and 39th to the Committee on Finance; the 19th, 29th and 45th to the Committee on Agriculture and Manufactures; the 20th to the Committee on Railroads; the 22d to the Committee on Internal Improvements; the 23d and 32d to the Committee on Propositions and Grievances; the 24th, 26th, 27th, 40th and 42d to the Committee on Religion and Morals, and the 31st to the Committee on Revenue and Taxation.

Mr. Reynolds moved that when the Senate adjourn, it be to meet at 3 o'clock this afternoon.

And the question being taken thereon, it was decided in the affirmative.

Mr. Smith moved to reconsider the vote by which the Senate adopted the motion made by Mr. Reynolds, that when the Senate adjourn it be to meet at 3 o'clock this afternoon.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	D. L. May,	A. H. Stewart,
Reuben Conner.	Jas. H. Mulligan,	G. Terry,
W. W. Dickerson,	J. W. McCain,	J. S. Wortham—17.
T. L. Glenn,	John P. Newman,	

Those who voted in the negative, were—

F. W. Darby,	J. W. Martin,	Phil Roberts,
John R. Kemp,	J. J. Paul,	D. H. Smith,
William Lindsay,	Chas. B. Poyntz,	D. W. Wright—9.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to provide for the adoption and use of trade-marks for the use of lumber dealers, and for the punishment of any person or persons defacing or destroying the same, or fraudulently diverting lumber bearing such trade-marks to their own use on Licking river and its tributaries.

By Mr. Glenn, from the same committee—

An act to incorporate the Fort Jefferson Street Railway Company.

By same—

An act to incorporate the city of Fort Jefferson.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the town of Barnsley, and to prescribe the powers and boundaries thereof.

By Mr. Roberts, from the same committee—

An act for the benefit of white school district, No. 28, of Madison county.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees, to which they had been referred, viz :

By Mr. Lunsford, from the Committee on Internal Improvements—

An act to incorporate the Capital Contract Company.

By same—

An act to incorporate the Carthage Cemetery Company, in Campbell county.

By same—

An act to incorporate the Louisville Conduit and Subway Company.

By same—

An act to incorporate the Kentucky Land and Mining Company.

By same—

An act to incorporate the Standard Coal and Coke Company.

By same—

An act to incorporate the Muhlenberg Oil, Gas and Mining Company.

By same—

An act to incorporate the Big Sandy Turnpike Company.

By Mr. Gates, from the same committee—

An act to authorize the city of Henderson to issue bonds to the amount of fifty thousand dollars for sewerage purposes.

By same—

An act to incorporate the Kentucky Oil, Mining and Manufacturing Company.

By same—

An act to incorporate the Beattyville, St. Helen's and Booneville Telephone and Telegraph Company.

By same—

An act to amend an act, entitled "An act amending an act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building and aiding in building railroads, bridges and telegraph lines," approved March 28, 1872.

By same—

An act to incorporate the Central Improvement Company.

By same—

An act to provide for a stock law for Wood's and Blankenbaker's voting precincts, in Jefferson county.

By same—

An act to amend an act to provide for a stock law in Jefferson and Oldham counties, approved April 15, 1882.

By same—

An act to incorporate the Booneville, Beattyville and St. Helen's Turnpike Road Company.

By same—

An act to provide for the repairing and keeping in repair, the public roads of Rockcastle county.

By same—

An act to incorporate the Fordsville Land Development and Improvement Company.

By same—

An act to amend the charter of the city of Owensboro.

By same—

An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company."

By same—

An act to incorporate the city of Deanfield, in Ohio county, Kentucky.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the Limaburg and Anderson Ferry Turnpike Road Company.

By same—

An act to incorporate the C. T. Rice Cemetery Company near Union, in Boone county.

By same—

An act to authorize the Jonesville and Glencoe Turnpike Road Company to collect toll for the Sugar Creek and Glencoe Turnpike Road Company, in Gallatin county.

By same—

An act authorizing the Ghent and Gallatin Turnpike Company to collect tolls for the lessees of the Sugar Creek and Stephens' Creek Turnpike Company and the Stephens' Creek and Carroll Line Turnpike Company.

By same—

An act authorizing the magistrates in the Glencoe district, in Gallatin county, to hold monthly terms of court.

By same—

An act to prevent stock from running at large on turnpike roads in Gallatin county.

By same—

An act to protect game in the county of Laurel.

By same—

An act to amend an act, entitled "An act to provide a road law for Floyd county," approved April, 1890.

By same—

An act to declare Owen's creek of Little Sandy river, in Elliott county, a navigable stream.

By same—

An act to prohibit the use of wire fencing along the public roads and turnpikes of Carroll county.

By same—

An act to declare Green river, in Edmonson county, a lawful fence.

By same--

An act to change the location of the State road in Floyd county, and to provide for the building of bridges across the mouths of Abbott creek and Middle creek in said county.

By same—

An act to prohibit the chasing of deer with dogs in Edmonson county.

By same—

An act to amend an act, entitled "An act to amend an act to provide for working of persons committed to the custody of the jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter counties," approved March 24, 1888, so far as the same applies to the counties of Floyd and Johnson.

By same—

An act to charter the Elkhorn City Boom Company.

By same—

An act defining the Knott county line.

By Mr. Roberts, from the same committee—

An act authorizing the county attorney of Owen county to receive certain public books.

By Mr. Conner, from the same committee—

An act to prevent the sale or furnishing of any spirituous, vinous or malt liquors, or any mixture thereof, or any intoxicating drink, within four miles of any voting place in Green, Metcalfe or Monroe counties, Kentucky, on any regular election day.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of B. M. Rice and Jesse Pittman, assistant elisors of Muhlenburg county ;

An act for the benefit of Mary Gibson, guardian of S. Cochran's heirs ;

An act to amend section 15, article 1, chapter 5, of the General Statutes ;

An act for the benefit of Peter C. Sower ;

An act to amend the charter of the Union County Fair Company, and amendment thereto, approved February 29, 1888 ;

An act to incorporate the Mt. Carbon, Prestonburg and Pikeville Telephone Company ;

An act for the benefit of S. H. Mason, late sheriff of Hancock county ;

An act to repeal an act, entitled "An act for the benefit of the Ridge Turnpike Road Company, in Shelby county," approved April 13, 1888 ;

An act to repeal an act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county, approved February 19, 1873 ;

An act for the benefit of Robert Watson, of Lee county ;

An act to incorporate the Stone Lick Turnpike Road, in Bracken county ;

An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, Henderson county," approved March 25, 1872, and the acts amendatory thereof ;

An act to incorporate the Kirksville Fair Ground Company ;

An act to amend the charter of the city of Cynthiana, Kentucky ;

An act to change the voting place in the second magisterial district, in Lyon county, from the Tennessee Rolling Mill to Confederate, in the same district ;

An act to empower the police court, of the town of Cuttawa, to work parties that have been convicted of misdemeanors upon the streets of said town ;

An act to incorporate the Waddy Real Estate and Improvement Company ;

An act for the benefit of the Shelbyville and Eminence Turnpike Road Company.

An act prescribing punishment for vagrants in Marion county ;

An act to incorporate the Prestonsburg Water Works Company ;

An act to incorporate the Woman's Christian Temperance Union, of Hawesville ;

An act concerning the financial board of the Southern Baptist Theological Seminary ;

Resolution for the benefit of J. A. Board of the county of Marion ;

Resolution in relation to a Public Building at Bowling Green, Kentucky ;

Resolution for the benefit of R. J. Cassidy, of Fayette county, Kentucky ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Elizabethtown Building and Loan Association ;

An act to re-enact, adopt and amend an act, entitled "An act to incorporate the Union County Bank," approved March 10, 1870 ;

An act to provide for the establishment of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same ;

An act to amend an act, re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county," approved March 15, 1890 ;

Resolution in regard to the death of Hon. Jas. B. Beck ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the city of Louisville ;

Which was granted.

Whereupon the Speaker appointed Mr. English said committee on the part of the Senate.

After a short time Mr. English, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. English moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. English moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. English proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Quincy, in Lewis county,

Which was granted.

Whereupon the Speaker appointed Mr. Hannah said committee on the part of the Senate.

After a short time, Mr. Hannah, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Hannah moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, was then reconsidered.

Mr. Hannah proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky Baptist Historical Society,

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCain proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright requested the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the with-

drawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to relieve E. H. Coombs of the disabilities of an infant ;
Which was granted.

Whereupon the Speaker appointed Mr. Wright such committee on the part of the Senate.

After a short time, Mr. Wright, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Breckinridge, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to better protect turnpike roads in which the State is interested,'" approved March 24, 1888,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That an act, entitled "An act to amend an act, entitled 'An act to better protect turnpike roads in which the State is interested,'" approved March 24, 1888, be, and the same is hereby repealed.

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended and Mr. Anderson reported a bill, entitled

An act to incorporate the Burk's Branch and Chestnut Grove Turnpike Company, in Shelby county,

With the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and Mr. Dickerson reported a bill, entitled

An act to amend the charter of Brooksville,

With the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and Mr. English reported a bill, entitled

An act to repeal chapter 178, page 139, Special Acts 1879-1880, approved February 9, 1880,

With the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Gates, from the Committee on Military Affairs, to whom was referred leave to bring in a bill, entitled

An act to regulate and provide for pay of troops demanded by county or district authorities to be used in guarding the courts or suppressing lawlessness in any county or counties of this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Stewart—

Ordered, That said bill be recommitted to the special committee appointed to investigate lawlessness in Harlan and Perry counties.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of A. M. Rigg, of Moxley, in Owen county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Martin requested the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Rochester," approved — day of —, 18—,

Which was granted.

Whereupon the Speaker appointed Mr. Martin such committee on the part of the Senate.

After a short time Mr. Martin, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

Mr. Breckinridge requested the appointment of a committee on the part of the Senate, to act in conjunction with a similar Committee from the House of Representatives, to ask the

withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Lancaster, McKee and Middlesborough Railroad.

Which was granted.

Whereupon the Speaker appointed Mr. Breckinridge such committee on the part of the Senate.

After a short time, Mr. Breckinridge from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

The Senate, according to order, took up for consideration the motion heretofore made by Mr. Wortham to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act for the protection of the Mammoth Cave and the Mammoth Cave estate, in Edmonson county.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Wortham proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass and that the title thereof be as aforesaid.

The Senate, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

The question pending being upon the disagreement between the two Houses to an amendment adopted by the Senate to said bill.

And the question being taken "Shall the Senate recede from its amendment to said bill?" it was decided in the affirmative.

Mr. Lindsay was appointed a committee on the part of the

Senate, to ask the withdrawal from the House of Representatives of the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to exempt any railroad that may hereafter be built in Muhlenberg county, Kentucky, from any tax that may be levied to pay the debt, or any part thereof, created by subscription of said county to the Elizabethtown and Paducah Railroad Company, but not to exempt said railroads to be built from any other tax.

After a short time, Mr. Lindsay, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. May moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Stewart was appointed a committee on the part of the Senate to ask the withdrawal from the House of Representatives the announcement of the passage by the Senate, with amendments thereto, of bills, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company ;

An act to authorize Pike, Johnson and Floyd counties to subscribe to the capital stock of the Charleston, Cincinnati and Chicago Railroad Company.

After a short time Mr. Stewart, from said committee, reported that the House of Representatives had refused to grant said request.

Mr. Dickerson was appointed a committee to ask the withdrawal from the House of Representatives of the announcement of the passage by the Senate, with an amendment thereto, of a bill, which originated in the House of Representatives, entitled

An act to regulate the toll upon turnpike roads in Bracken county.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

Pending the consideration of which, the hour of 1 o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate took a recess until 3 o'clock P. M.

The Senate met at 3 o'clock P. M., pursuant to adjournment.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, May 6, 1890. }

Gentlemen of the Senate :

I hereby recommend, and by and with the advice and consent of the Senate, will appoint the following-named persons Trustees in the Agricultural and Mechanical College, to fill existing vacancies, and to hold office for four years, viz :

Hon. W. B. Kinkead, of Lexington ; Dr. R. J. Spurr, of Fayette county ; Hon. P. P. Johnson, of Fayette county ; Philemon Bird, of Shelby county.

Respectfully,

S. B. BUCKNER.

Ordered, That said nominations be referred to the Committee on Education.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the "Kentucky Fire Insurance Company."

An act to incorporate the Anderson County Safety Vault and Trust Company.

An act to incorporate the Citizens' Banking and Trust Company of Lawrenceburg.

An act to incorporate the Kentucky Pipe Line Company.

An act to amend an act, entitled "An act to organize and establish a system of public graded schools in Carlisle.

An act to amend the charter of the city of Covington.

An act to incorporate the Wilderness Road Turnpike Company.

An act to incorporate the Ford Savings Bank.

An act to incorporate the Kentucky River and Virginia Railroad Company.

An act to authorize and empower the trustees of common school district No. 18, in Larue county, to levy a per capita and ad valorem tax for certain purposes.

An act to incorporate the Danville Street Railway Company;

An act to provide for the plugging of all abandoned natural gas wells in Breckinridge, Grayson and Hancock counties.

An act to survey and locate the boundary line between the county of Warren and the counties of Allen and Edmonson.

An act to change the time for holding the Trimble Quarterly Court, and to regulate the jurisdiction thereof.

An act to regulate the sale of spirituous, vinous and malt liquors in Trimble county.

An act to amend the charter of the town of Chester, Mason county.

An act to incorporate Hargis College, of Mt. Pleasant, Harlan county, Kentucky.

An act to incorporate the Western, Locust Grove and Cassady Turnpike Road Company.

An act to establish common school district No. 23, Metcalfe county.

An act for the benefit of H. R. Bourland, of Hopkins county.

An act to incorporate the Prestonsburg and Big Sandy River Bridge Company.

An act for the benefit of Mrs. Lucy Curry, of common school district No. 26, white, Montgomery county.

An act to amend an act, entitled "An act to authorize the people

of Boyle county to vote on prohibiting the sale of liquors, and fixing the penalty for the sale of liquors in said county," approved January, 1890.

An act to amend an act, entitled "An act to incorporate the town of Crofton, in Christian county," approved February 6, 1873.

An act to incorporate the Mt. Sterling Natural Gas and Oil Company.

An act to authorize the Trimble County Court to appropriate and expend any balance known as the court-house fund in Trimble county.

An act to incorporate Lilly Lodge, Knights of Pythias, No. 67, Carlisle county.

An act to incorporate the Green River Land Development, Manufacturing and Mining Company.

An act to repeal an act, entitled "An act to incorporate the Parksville Turnpike Company.

An act to divide Carlisle civil district No. 4 into two election precincts.

An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years.

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890.

An act to incorporate the People's Banking and Trust Company.

An act to amend the charter of the city of Winchester.

An act to incorporate the town of Sturgis, in Union county.

An act to amend an act, entitled "An act to incorporate the Ashland and Catlettsburg Street Railway and Transfer Company," approved March 19, 1873.

An act to incorporate the Shadwick's Ferry Turnpike Company.

An act to incorporate the Midway Cemetery Company.

An act to amend an act, entitled "An act to incorporate the now existing Louisville Gas Company, and grant it a new charter, approved March 16, 1888, and grant said company the right to manufacture, distribute and sell electricity.

An act to amend the charter of the Bardstown Cemetery Company.

An act to incorporate the Princeton Street Railway Company.

An act to amend an act, entitled "An act to further amend an act, entitled 'An act to amend and reduce into one the several acts organizing and regulating the Lunatic Asylums of this State,' " approved March 20, 1876, approved May 12, 1884.

An act to incorporate the Louisville, Covington and Cincinnati Railway Company.

An act to incorporate the Bowling Green and Southern Railroad Company.

An act to amend an act re-submitting to the voters of Hardin county the question as to whether or not spirituous, vinous or malt liquors shall be sold in said county, approved March 15, 1890.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Wright—

1. A bill to provide for recording contracts for the sale of lands.

On motion of Mr. Breckinridge—

2. A bill to repeal an act, entitled "An act to better protect turnpike roads in which the State is interested."

On motion of Mr. McCain—

3. A bill entitled, "An act to require sales by virtue of judgments of Trimble Circuit Court, to be advertised in county paper.

On motion of Mr. Roberts—

4. A bill for the benefit of common school district No. 28 (white), county of Madison.

On motion of Mr. Cockrell—

5. An act to incorporate the Citizen's Bank, of Winchester.

Ordered, That the Committee on General Statutes prepare and bring in the 1st; the Committee on the Judiciary, the 2d; the Committee on Propositions and Grievances the 3d and 4th, and the Committee on Agriculture and Manufactures the 5th.

Mr. Glenn moved that the Senate do now adjourn.

Mr. May moved that when the Senate adjourns for the day that it be to meet on Friday, May 9, 1890, at 11 o'clock A. M.

Mr. Breckinridge proposed to amend said motion by striking out "Friday May 9, 1890, at 11 o'clock A. M.," and insert in lieu thereof, to-morrow at "10:30 o'clock A. M."

And the question being taken on the amendment proposed by Mr. Breckinridge, it was decided in the affirmative.

Mr. Peterman proposed to amend the amendment of Mr. Breckinridge, by striking out "to-morrow at 10:30 o'clock A. M.," and insert in lieu thereof, "Friday, May 9, at 10-30 o'clock P. M."

And the question being taken thereon, it was decided in the negative.

Mr. Peterman proposed to amend the amendment of Mr. Breckinridge, by striking out "to-morrow, at 10:30 o'clock A. M.," and inserting in lieu thereof "Friday, May 9th, at 3 o'clock P. M."

And the question being taken thereon, it was decided in the negative.

Mr. Peterman moved to reconsider the vote by which the Senate had refused to adopt the amendment proposed by him to the amendment of Mr. Breckinridge, to the motion made by Mr. May.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz:

Those who voted in the affirmative, were—

T. L. Glenn,	Jas. H. Mulligan,	Chas. B. Poyntz,
J. B. Hannah,	John P. Newman,	Phil Roberts—8.
D. L. May,	A. L. Peterman,	

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	J. J. Paul,
Ben F. Bradley,	Sam E. English,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
B. F. Cockrell,	J. H. Lunsford,	G. Terry,
Reuben Conner,	J. W. McCain,	D. W. Wright—15.

Mr. Gates proposed to amend the amendment of Mr. Breckinridge as follows, viz:

WHEREAS, The remains of Kentucky's dead statesman, United States Senator James B. Beck, deceased, will arrive in the city

of Lexington on to-morrow, Wednesday, the 7th inst., and the funeral services will be held Thursday, the 8th inst; therefore,
Be it resolved, That in respect to his memory when this body adjourns it will adjourn to meet on Friday morning at 10 o'clock.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and May, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Gates,	D. L. May,	A. L. Peterman,
T. L. Glenn,	James H. Mulligan,	Chas. B. Poyntz,
J. B. Hannah,	Jno. P. Newman,	Phil Roberts—9.

Those who voted in the negative, were—

W. F. Berry,	Reuben Conner,	J. J. Paul,
Ben F. Bradley,	Sam E. Engilsh,	B. F. Reynolds,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
B. F. Cockrell,	J. H. Lunsford,	G. Terry—12.

Mr. Peterman proposed to amend the amendment of Mr. Breckinridge by striking out "to-morrow at 10:30 o'clock A. M.," and insert in lieu thereof "Friday, May 9, 1890, at 11:30 A. M."

Mr. May proposed to amend the amendment of Mr. Breckinridge by striking out "to-morrow at 10:30 o'clock A. M.," and insert in lieu thereof "Friday, May 9, 1890, at 10:35 o'clock A. M."

Mr. Breckinridge moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Peterman, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Gates,	James H. Mulligan,	Phil Roberts—5.
J. W. Martin,	C. B. Poyntz,	

Those who voted in the negative, were—

W. F. Berry,	Sam E. English,	B. F. Reynolds,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	J. H. Lunsford,	A. H. Stewart,
B. F. Cockrell,	J. W. McCain,	G. Terry,
Reuben Conner,	J. M. Pieratt,	D. W. Wright—15.

The question was then taken on the adoption of the amendment proposed by Mr. May to the amendment of Mr. Breckinridge, and it was decided in the negative.

The question was then taken on the adoption of the motion made by Mr. May as amended by the motion of Mr. Breckinridge, and it was decided in the negative.

Mr. Breckinridge moved to reconsider the vote by which the Senate had fixed to-morrow at 10:30 o'clock A. M. as the time to which the Senate would adjourn.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	F. W. Darby,	B. F. Reynolds,
Ben F. Bradley,	Sam E. English,	D. H. Smith,
R. J. Breckinridge,	J. H. Lunsford,	A. H. Stewart,
B. F. Cockrell,	J. W. McCain,	G. Terry,
Reuben Conner,	J. M. Pieratt,	D. W. Wright—15.

Those who voted in the negative, were—

G. W. Gates,	Jas. H. Mulligan,	Phil Roberts—5.
D. L. May,	Charles B. Poyntz,	

The question was then taken on the motion to adjourn made by Mr. Glenn, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	A. H. Stewart,
F. W. Darby,	D. L. May,	D. W. Wright—10.
Sam E. English,		

Those who voted in the negative, were—

Ben F. Bradley,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	Jas. H. Mulligan,	Phil Roberts,
Reuben Conner,	J. W. McCain,	D. H. Smith,
J. B. Hannah,	A. L. Peterman,	G. Terry—14.
J. H. Lunsford,	J. M. Pieratt,	

Mr. Roberts, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act amending the charter of the Louisville Stage and Lumber Company, a corporation organized under the general law,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Peterman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	D. L. May,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz—7.
Sam E. English,		

Those who voted in the negative, were—

Ben F. Bradley,	J. W. Martin,	B. F. Reynolds,
B. F. Cockrell,	Jas. H. Mulligan,	D. H. Smith,
Reuben Conner,	J. W. McCain,	G. Terry,
J. B. Hannah,	John P. Newman,	D. W. Wright—14.
J. H. Lunsford,	J. M. Pieratt,	

Ordered, That said bill be engrossed, and read a third time.

Mr. Breckinridge objected to the further reading of said bill on this day,

So said bill fell into the orders of the day.

Mr. Roberts, from the Committee on Propositions and Griev-

ances, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to cede to the United States jurisdiction over a site for a public building in the city of Richmond, Kentucky,

Reported the same without amendment.

Said bill reads as follows, viz :

WHEREAS, There is now pending in the United States Congress a bill for the erection of a public building at Richmond, Kentucky, which will probably become a law ; and whereas, no part of the sum provided for by said bill for the erection of said building can be expended until the State of Kentucky shall have ceded to the United States exclusive jurisdiction over the same during the time the United shall be, or remain the owner thereof, for all purposes except the administration of the criminal laws of this State, and the service of civil process thereon ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the State of Kentucky does hereby cede to the United States exclusive jurisdiction over any sight for a public building in Richmond, Kentucky, not exceeding two acres, the title to which may hereafter be vested in the United States during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of the State, and the service of civil process thereon.

§ 2. This act shall take effect, and be in full force, from and after its passage.

Mr. Peterman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

D. L. May,

A. L. Peterman—2.

Those who voted in the negative, were—

W. F. Berry,
Ben F. Bradley,
R. J. Breckinridge,
B. F. Cockrell,
Reuben Conner,
F. W. Darby,
Sam E. English,

G. W. Gates,
John R. Kemp,
J. H. Lunsford,
James H. Mulligan,
J. W. McCain,
John P. Newman,
J. M. Pieratt,

Chas. B. Poyntz,
Ben F. Reynolds,
Phil. Roberts,
D. H. Smith,
G. Terry,
J. S. Wortham,
D. W. Wright—21.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Charles B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	Phil Roberts,
Reuben Conner,	D. L. May,	D. H. Smith,
F. W. Darby,	Jas. H. Mulligan,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	A. L. Peterman,	D. W. Wright—25.
G. W. Gates,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. May moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. May and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

J. B. Hannah,	D. L. May,	Chas. B. Poyntz—3.
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Those who voted in the negative, were—

B. F. Cockrell,	J. W. McCain,	Phil Roberts,
Reuben Conner,	A. L. Peterman,	D. W. Wright—7.
Jas. H. Mulligan,		

Mr. May moved that the Senate do now take a recess until 10 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. May and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	D. L. May,	Phil Roberts,
T. L. Glenn,	James H. Mulligan,	G. Terry,
J. B. Hannah,	J. W. McCain,	J. S. Wortham,
John R. Kemp,	A. L. Peterman,	D. W. Wright—18.

Those who voted in the negative, were—

F. W. Darby,	Chas. B. Poyntz,	D. H. Smith—4.
John P. Newman,		

And then the Senate took a recess until 10 o'clock P. M.

At 10 o'clock P. M. the Senate met pursuant to adjournment.

The Lieutenant-Governor and regular Speaker of the Senate, Hon. J. W. Bryan, being absent, at his request Hon. D. H. Smith took the Chair and presided.

Mr. Breckinridge offered the following resolution, viz :

Resolved, That the present session shall last one hour, and during this session the committees shall be called regularly, commencing with the Committee on Privileges and Elections to and including the Committee on Finance, and no motion shall be entertained by the Speaker during said session, except such motions as may be legitimately applied to bills under consideration; and if said call of committees is completed within the time above specified, then the Senate shall consider the miner's bill and Senate bill No. 60.

The question being on the adoption of said resolution.

Mr. Reynolds moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	D. H. Smith,

B. F. Cockrell,	J. W. Martin,	A. H. Stewart,
Reuben Conner,	D. L. May,	J. S. Wortham,
F. W. Darby,	J. W. McCain,	D. W. Wright—20.
Sam E. English,	A. L. Peterman,	

Those who voted in the negative, were—

G. W. Gates,	J. J. Paul,	Phil Roberts—4.
T. L. Glenn,		

Mr. Newman raised the point of order that said resolution by reason of providing for a change of the standing rules of the Senate, could not, under the rules, be considered on this day, and must lie one day on the table.

The Speaker decided said point of order not well taken.

From this decision, Mr. Peterman presented the following appeal, viz:

I respectfully appeal from the decision of the Chair, by which it was decided that the resolution of the Senator from Boyle does not change the rules.

A. L. PETERMAN.

D. L. MAY.

Mr. Bradley being called to and taking the Chair,

Mr. McCain moved to lay said appeal on the table,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	A. H. Stewart,
Reuben Conner,	J. W. Martin,	J. S. Wortham,
F. W. Darby,	J. W. McCain,	D. W. Wright—19.
Sam E. English,		

Those who voted in the negative, were—

T. L. Glenn,	J. J. Paul—2.
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Mr. Peterman moved to reconsider the vote by which the Senate adopted the motion to lay said appeal on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

T. L. Glenn,

J. J. Paul—2.

Those who voted in the negative, were—

W. F. Berry,	Sam E. English.	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	J. S. Wortham,
Reuben Conner,	D. L. May,	D. W. Wright—17.
F. W. Darby,	J. W. McCain,	

Mr. Smith resuming the Chair,

Mr. Peterman moved a call of the Senate.

The chair decided said motion out of order.

Mr. Peterman appealed from the decision of the Chair and sent the following appeal to the clerk's desk :

I respectfully appeal from the decision of the Chair, by which it was decided that a call of the Senate is not in order.

A. L. PETERMAN,

D. L. MAY.

Mr. Wright being called to, and taking the chair.

The question was taken, "Shall said appeal be sustained?" it was decided in the negative, a quorum of the Senate not voting thereon.

The yeas and nays being required thereon by Messrs. Peterman and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	A. L. Peterman,
R. J. Breckinridge,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	J. S. Wortham,
Reuben Conner,	J. W. Martin,	D. W. Wright—17.
Sam E. English,	J. W. McCain,	

In the negative—T. L. Glenn—1.

Mr. Smith resuming the Chair,

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	J. W. Martin,	D. H. Smith,
Sam E. English,	D. L. May,	J. S. Wortham,
G. W. Gates,	J. W. McCain,	D. W. Wright—21.

In the negative—F. W. Darby—1.

Mr. Peterman moved to reconsider the vote by which the Senate had adopted said resolution.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	G. W. Gates,	J. W. McCain,
Ben F. Bradley,	T. L. Glenn,	J. M. Pieratt,
R. J. Breckinridge,	J. P. Huff,	B. F. Reynolds,
B. F. Cockrell,	John R. Kemp,	D. H. Smith,
Reuben Conner,	J. H. Lunsford,	J. S. Wortham,
Sam E. English,	J. W. Martin,	D. W. Wright—18.

Those who voted in the negative, were—

F. W. Darby,	D. L. May,	Chas. B. Poyntz—3.
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Mr. McCain, from the Committee on Public Expenditures, to whom was referred a bill which originated in the House of Representatives, entitled

An act to amend an act to incorporate the Drennon Springs Company, of Henry county, approved April 7, 1889,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The Drennon Springs, of Henry county, Kentucky, having incorporated under the laws of the State of Kentucky, embodied in chapter 56 of the General Statutes of Kentucky, on the 7th, day of April, 1889, under the name of Drennon Springs Company, for the purpose of running a hotel at Drennon Springs, Henry county, Kentucky, for a health and pleasure resort, now for the purpose of enlarging the rights and privileges given them under their articles of incorporation, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the aforesaid Drennon Springs Company are empowered and given the authority to purchase land for the erection of a hotel at Drennon Springs, Henry county, together with the privilege of erecting all necessary machinery and buildings that may be necessary for the operation of said hotel as a pleasure and health resort.

§ 2. Also, that when said Drennon Springs Company shall have erected a hotel worth at least \$2,000, that said Drennon Springs Company, their lessees or assigns, shall have a right to apply through and by the board of directors of said Drennon Springs Company to the County Judge of Henry County for license to keep a tavern, together with the privilege of retailing spirituous, vinous and malt liquors, and the County Judge may grant said license upon payment of the State tax to the proper officers, said privilege to retail liquors only to be granted for during the watering season of said springs, *provided, further*, that if a majority of the citizens residing in the county of Henry, within two miles of the hotel of said Drennon Springs, petition said County Judge not to grant said license, he shall have no right to do so.

§ 3. The board of directors of said Drennon Springs Company shall have power to appoint one or more marshals or policemen, who shall take the oath as provided by law, and said officers shall have the same rights and powers as the sheriff of Henry county, to make arrests of all persons violating the criminal and penal laws of the Commonwealth of Kentucky. Their jurisdiction to make said arrests shall extend to the grounds of the Drennon Springs Company, and all roads running through the Drennon Springs property and to any point within two miles of Drennon Chapel, but they are only authorized to arrest offenders for offenses committed within two miles of the property belonging to said Drennon Springs Company. The said officer or officers are to be paid a salary by the company, to be fixed by the board of directors; there shall be no charge for his services against the State or county.

§ 4. All laws in conflict with this are hereby repealed.

§ 5. This act shall take effect from and after its passage.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
F. W. Darby,	D. L. May,	D. H. Smith,
Sam E. English,	J. W. McCain,	J. S. Wortham,
G. W. Gates,	John P. Newman,	D. W. Wright—25.
T. L. Glenn,		

In the negative—Phil Roberts—1.

Mr. Peterman moved to reconsider the vote by which the Senate had passed said bill.

Mr. Peterman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and May, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John P. Newman,	D. W. Wright—24.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

By unanimous consent, the rules were suspended, and Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to re district the counties of Johnson, Martin, Pike, Letcher, Floyd and Knott into legislative districts,

Reported the same, with an amendment,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds moved to reconsider the vote by which the Senate had passed said bill.

Mr. May moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

WEDNESDAY, MAY 7, 1890.

The Lieutenant-Governor and regular speaker of the Senate, Hon. J. W. Bryan, being absent, at his request, Hon. D. H. Smith took the Chair and presided.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend section 51 of the Civil Code of Practice.

An act in relation to the management of trains where railways cross each other.

That they had passed bills of the following titles, viz :

1. An act to provide for the construction of a public highway in Kenton county, Kentucky, by the cities of Covington and Ludlow, and the town of West Covington, at the cost of said municipalities.

2. An act to authorize the Kentucky Central Railway Company to enter into contracts for purchase, sale or consolidation with companies of this or other States.

Which bills were read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on Railroads.

Mr. Breckinridge moved the following resolution, viz :

WHEREAS, Senate bill No. 307, entitled "An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company," passed the Senate on the 13th day of March, 1890, was reported to the House of Representatives, and afterwards, to-wit, on the 12th day of April, 1890, passed the House of Representatives; and whereas, the Clerk of the House of Representatives claims that said bill was reported to the Senate and delivered to the Clerk of the Senate on the 15th day of April, 1890; and whereas, The Clerk of the Senate dinies that said bill was delivered to him; and whereas, said bill can not be found by either of said Clerks, and is lost; therefore,

Be it resolved, That the Speaker of the Senate shall appoint a committee composed of three Senators, which committee shall inquire and investigate the facts of the loss of said bill—how and by whom it was lost, who is responsible for its loss, its full history in both Houses of the General Assembly from its introduction into the Senate to the present time, and shall report to the Senate all proof taken and the result of the investigation. The committee shall have power to summon and examine witnesses and to compel their attendance.

This resolution shall take effect from and after its passage.

Which was twice read and adopted.

Mr. Newman moved that when the Senate adjourns it be to meet on Friday next, May 9th, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to reconsider the vote by which the Senate adopted the motion made by him that when the Senate adjourns it be to meet on Friday next at 3 o'clock P. M.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

By unanimous consent, Mr. Peterman withdrew the motion made on yesterday by him to lay on the table his motion to reconsider the vote by which the Senate had passed a bill,

which originated in the House of Representatives, of the following title, viz :

An act to cede to the United States jurisdiction over a site for a public building in the city of Richmond, Kentucky.

By unanimous consent, Mr. Peterman withdrew the motion made by him to reconsider the vote by which the Senate had passed said bill.

Mr. Berry, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to prohibit the sale and use of spirituous, vinous and malt liquors in the county of Rowan, and submitting the further adoption of said act to the qualified voters of said county,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky : § 1. That an act, entitled "An act to prohibit the sale and use of spirituous, vinous and malt liquors in the county of Rowan," be amended by adding thereto, the following, viz : That the sheriff of Rowan county shall caused to be advertised, by posting in twenty conspicuous places throughout said county, notices that the question "For or against the sale and use of spirituous, vinous and malt liquors in said county," will be submitted to the qualified voters of said county at the August election, 1890, at least twenty days before the day of said election, and the county clerk of said county will cause all necessary preparation in way of preparing poll books for the taking of the said vote, and the officers of said election in the various precincts in said county will cause a poll to be opened for the purpose of taking said vote, and the question, "for or against license," shall be propounded to each person voting, and his vote recorded in the affirmative or negative, according to the answer of the person so voting, and if the majority of those voting in said county be in favor of the sale and use of spirituous, vinous and malt liquors, the provisions of said act, of which this act is an amendment, shall be null and void, otherwise to remain in full force and effect.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Glenn, were as follows, viz:

In the affirmative—Chas. B. Poyntz—1.

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	J. M. Pieratt,
Ben F. Bradley,	J. B. Hannah,	B. F. Reynolds,
R. J. Breckinridge,	J. P. Huff,	Phil Roberts,
Reuben Conner,	John R. Kemp,	D. H. Smith,
F. W. Darby,	J. H. Lunsford,	J. S. Wortham,
Sam E. English,	J. J. Paul,	D. W. Wright—20.
G. W. Gates,	A. L. Peterman,	

So said bill was disagreed to.

Mr. Kemp, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Kentucky and Missouri Bridge Company,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Bradley, from the Committee on Railroads, to whom was referred amendments adopted by the House of Representatives to bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Cincinnati and Kentucky Southern Railroad Company ;

An act to amend an act, entitled "An act to incorporate the Paducah and Cairo Railroad Company," approved March 16, 1888 ;

An act to incorporate the Kentucky and Southeastern Railway Company ;

Reported the same with the expression of opinion that said amendments should be concurred in.

And the question being taken on concurring in the adoption of said amendments, it was decided in the affirmative.

Mr. Bradley, from the Committee on Railroads, to whom was referred bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Big Sandy Bridge Company ;

An act to incorporate the Louisa and Cassville Bridge Company ;

An act to incorporate the Kentucky and West Virginia Bridge Company ;

Reported the same, without amendment.

On motion of Mr. Bradley—

Ordered, That said bills be recommitted to the Committee on Internal Improvements.

Mr. Breckinridge read and laid on the table the following joint resolution, viz :

WHEREAS, Senate bill No. 307, entitled "An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company," passed the Senate on March 13, 1890, and was reported and delivered to the House of Representatives, and passed the House of Representatives on the 12th day of April, 1890 ; and whereas, said Senate bill No. 307 has been lost and can not be found ; and whereas, a true and exact copy of said bill No. 307 was made by the Clerk of the Senate before its loss, and has

been certified by the Clerk of the Senate as a true copy of said bill; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Clerks of the Senate and House of Representatives, respectively, are hereby directed to indorse and certify said certified copy of said Senate bill No. 307, as having passed each House of the General Assembly on the days as shown by the Journal of each respective House, and when so indorsed and certified, said bill shall be delivered to the Enrolling Clerk of the Senate and by him enrolled, as the manner is, and shall be signed by the Speakers of each House of the General Assembly, and presented to the Governor for his signature, and when signed by the Governor said bill shall be in full force and effect as though it was the original bill No. 307.

§ 2. This resolution shall take effect and be in force from and after its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to provide for completion and preparation for use as a prison of the Branch Penitentiary at Eddyville, and to further regulate same, and the Penitentiary at Frankfort.

On motion of Mr. Darby—

Ordered, That said bill and pending amendments be recommitted to the Committee on Penitentiary and House of Reform.

Mr. Reynolds, from the Committee on Agriculture and Manufactures, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act to incorporate the Paducah Hotel Company,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Lunsford, from the Committee on Banks and Insurance, to whom was recommitted a bill, which originated in the Senate, entitled

An act to provide for the disabled firemen of Kentucky,

Reported the same without amendment.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. The Auditor of Public Accounts shall set aside on the books of his office, and pay into the Treasury of the State, a fund, to be known as the "Fireman's Relief Fund," and for this purpose he shall allot annually the surplus derived from the fees and licenses collected to maintain the Insurance Bureau of this State.

§ 2. The fund created by this act shall be held by the Treasurer of this State, and be disbursed as hereinafter provided, for the relief of members of fire companies and salvage corps, who may be injured or lose their lives while in the discharge of their duties.

§ 3. Any regularly enrolled member of any fire or salvage corps company, of any town or city of this State, who may be injured or lose his life, while in the active discharge of his duty, shall be entitled to receive benefits from the fund herein provided for, and such benefits shall be graded as follows :

First. For loss of life, an amount equal to the annual salary of the person killed, payable to his legal representatives, not exceeding one thousand dollars.

Second. For any permanent disability, such as total blindness, or loss of both legs or both arms, the person so disabled shall be entitled to receive annually one-half of the annual salary he may have been receiving at the date of being disabled, for the remainder of his life, the same to be paid in monthly installments.

Third. For any partial disability of a permanent character, such as partial blindness, or the loss of one arm and one leg, the person so disabled shall be entitled to receive annually one-third of the annual salary he may have been receiving at the date of being disabled, for the remainder of his life, the same to be paid in monthly installments.

Fourth. For any partial disability of a permanent character, such as the loss of an arm or leg, the person so disabled shall be entitled to receive annually one-fourth of the annual salary he may have been receiving at the date of being disabled, for the remainder of his life, the same to be paid in monthly installments.

Fifth. For any temporary disability, such as may only temporarily prevent the person so disabled from performing duty, he shall be entitled to receive one-half of his regular pay to continue during such temporary disability.

§ 4. Any member of a fire or salvage corps company, or his legal representative, who may be entitled to any of the benefits provided for in section 3 of this act, shall apply to the county judge of the county, wherein the injury or death may occur, and furnish the certificate under oath of the chief or assistant

chief of such fire or salvage company, as to the nature and character of the disability ; and that the injury or death as the may be, occurred while in the active discharge of duty, and also furnish other testimony to the said judge, under oath, of the facts as stated in the certificate of the chief or assistant chief ; and thereupon, if the county judge is satisfied that the injury or death was incurred by the person while in the active discharge of duty, he, the said judge, shall direct the county clerk to enter of record in the order-book of said county, such certificate and a synopsis of the sworn testimony, and direct the clerk of said court to certify the facts to the Auditor of Public Accounts, which said entry and certificate shall show the grade of benefit such injured or dead person, or his legal representatives, may be entitled to receive.

§ 5. The Auditor of Public Accounts, upon the receipt of the certified claim or claims, provided for in section 4 of this act, shall cause the name or names of the beneficiary or beneficiaries, or his or their legal representatives, to be entered in a book to be kept for the purpose, and shall draw his warrant on the the Treasurer against the fund provided for in the first section of this act, and in accordance with the provisions of section 3 of this act.

§ 6. Should the fund provided for in section 1 of this act be exhausted at any time, the Auditor of Public Accounts is directed to file, in the order of receipt in his office, all claims as they are received or may accrue, and to pay the same in the order of their receipt or accrement, as soon as such fund may have money to its credit.

§ 7. Should the chief or assistant chief of any fire company or salvage corps be killed or injured, the certificate provided for in section 4 of this act, may be made under oath by two members of any fire company or salvage corps, under the command of such killed or injured chief, or assistant chief, and, in other respects, any claim of chief or assistant chief, shall be proven and certified as required in section 4 of this act.

§ 8. All laws, or parts of laws, in conflict with the provisions of this act, are hereby repealed.

§ 9. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

Mr. Glenn moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Lunsford, from the Committee on Internal Improvements—

An act to incorporate the Breathitt City Bridge Company.

By Mr. Breckinridge, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company.”

By same—

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Grayson County Fair Company.

By same—

An act to amend an act, entitled “An act to create a common pleas court in the counties of Bourbon, Clark, Madison, Bath and Montgomery.”

By same—

An act to incorporate the Citizens’ Bank of Winchester.

By same—

An act to amend an act, entitled “An act for the benefit of the city of Ashland, and to amend certain acts relating to the city and town of Ashland,” approved March 26, 1878.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Berry, from the Committee on Religion and Morals—

An act to allow the legal voters within the corporate limits of the town of Benton, Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town.

By same—

An act to incorporate the cemetery of St. Stephens.

By same—

An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Montpelier, Adair county.

By same—

An act to declare Bear Pen creek, in Wolfe county, a navigable stream.

By same—

An act declaring Swift's Camp creek, in Wolfe county, a navigable stream.

By Mr. Pieratt, from the same committee—

An act requiring tavern-keepers in the county of Lee to pay county license.

By same—

An act to change and fix the place of voting in district No. 4, in Morgan county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors in Knott county.

By same—

An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of the public school-house of Hindman, Kentucky.

By same—

An act to authorize the trustees of the Methodist Episcopal Church, of Bethel, Bath county, to sell and convey certain lands.

By same—

An act for the benefit of the Baptist Church in Barbourville, Knox county.

By same—

An act to incorporate the Paintsville Lodge, No. —, Independent Order of Odd Fellows, at Paintsville, in Johnson county.

By same—

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky.

By same—

An act to incorporate the Smoke King Company, of Louisville, Kentucky.

By same—

An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, in common school district No. 26, in Calloway county.

By same—

An act, entitled "An act to amend an act, entitled 'An act to provide for the funding and payment of the debts of Harrison county.'"

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled "An act to incorporate the Williamsburg Institute," approved April 6, 1888.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Inter-state Tunnel Railway Company.

By same—

An act to amend the charter and change the title of the Louisville Southeastern Railroad Company.

By Mr. Lunsford, from the same committee—

An act to authorize the county of Metcalfe to subscribe aid to the Burksville and Northwestern Railroad Company.

By same—

An act to incorporate the Kentucky and Cumberland Railroad Company.

By Mr. Lunsford, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to amend the charter of the town of Parkland, Jefferson county," approved April 5, 1888.

By Mr. McCain, from the Committee on Railroads—

An act to amend an act to incorporate the Central Valley Railway Company.

By Mr. May, from the same committee—

An act to amend chapter 398, an act, entitled "An act to incorporate the Middlesborough Street Railway Company.

By Mr. Breckinridge, from the same committee—

An act to incorporate the Owensboro Belt Line Railway and Transfer Company.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Big Sandy Bridge Company.

By Mr. Breckinridge, from the Committee on Railroads—

An act to amend an act, entitled “An act to incorporate the Frankfort, Carrollton and Madison Railroad Company.”

By Mr. Reynolds from the Committee on Agriculture and Manufactures—

An act to incorporate the Meade County Fair Association.

By same—

An act to amend an act, entitled “An act to incorporate the Paducah, Hinkleville and Blandville Turnpike or Gravel Road Company.”

By same—

An act to amend section 6 of an act, entitled “An act to incorporate the Laurel County Fair Company,” approved April 14, 1886.

By Mr. Lunsford, from the Committee on Banks and Insurance—

An act to incorporate the American Guarantee Company, of Louisville.

By same—

An act to amend an act, entitled “An act to incorporate the Farmer’s and Merchants’ Bank, of Falmouth,” approved March 25, 1880.

By same—

An act to incorporate the Fidelity Building and Loan Association, of Bowling Green.

By same—

An act to incorporate the Citizens’ Bank of Barbourville.

By same—

An act to incorporate the Vine Grove Banking Company.

By same—

An act to incorporate the Bank of Fort Jefferson, at the city of Fort Jefferson, Ballard county.

By Mr. Gates, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to establish a system of common schools for the town of Beech Grove, McLean

county," approved April 22, 1882, and to repeal an act amendatory thereto, approved March 25, 1890.

By Mr. Newman, from the same committee—

An act to amend the charter of the town of Rockport, in Ohio county.

By Mr. Darby, from the Committee on Codes of Practice—

An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county," approved February 17, 1871.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend the charter of the village of Cote Brillante, in Campbell county.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate D. V. Auxier Post No. 73, G. A. R., in Johnson county.

By Mr. Peterman, from the Committee on Education—

An act to incorporate the Ekron Male and Female College of Meade county, Kentucky.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Barbourville Belt Line Railway Company.

By same—

An act to incorporate the Central Kentucky and Ohio River Railroad Company.

By Mr. Breckinridge, from the same committee—

An act to incorporate the West Point and Louisville Railroad Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Knox County Fair and Exhibition Association.

By same—

An act to incorporate the Cold Water Manufacturing Company.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Louisville and Hodgenville Railroad Company.

With amendments to the eight last-named bills.

Which were adopted.

Ordered, That said bills, the eight last-named as amended, be severally read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May moved to reconsider the vote by which the Senate had passed the last-named bill.

Which motion was simply entered.

Mr. Cockrell moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky.

Which motion was simply entered.

On motion of M. Lunsford the Senate then adjourned.

FRIDAY, MAY 9, 1890.

The reading of the Journal of Wednesday was dispensed with.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the Senate, of the following titles, viz:

An act to re-enact, adopt and amend an act, entitled "An act to incorporate the Union County Bank," approved March 10, 1870.

An act to provide for the establishing of public parks in and adjacent to the city of Louisville, Kentucky, and the improvement and management of the same.

Resolution in respect to the death of Hon. Jas. B. Beck.

Mr. Wortham withdrew the motion heretefore entered by him, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company.

Mr. Peterman, from the Committee on Education, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate Pleasant J. Potter College,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to prohibit the sale of spirituous, vinous, malt or intoxicating liquors, or the mixture of either, in the county of Morgan, and to prescribe a penalty therefor ;

An act to amend an act, entitled "An act to charter the Butler and Boston Turnpike Company, in Pendleton county," approved April 13, 1888 ;

An act to make county surveyor's office in Todd county compatible with that of deputy county court clerk, and to ratify work already done ;

An act to amend the charter of the Kentucky Female Orphans' School, located at Midway, Woodford county ;

An act to prohibit the killing of quail or partridges or other small game upon certain farms in Lincoln county ;

An act to incorporate the Sacramento and Central City Railroad Company ;

An act to prevent the destruction of fish in South Elkhorn, lying within the bounds of Woodford county ;

An act to incorporate the Petersville and North Fork Bridge Turnpike Road Company, in Lewis county ;

An act to repeal an act, entitled "An act to repeal chapter 1259 of the Session Acts of 1881-2, entitled 'An act to define the

jurisdiction of the courts of justices of the peace in the county of Spencer, approved March 16, 1886, and to revive and continue in force chapter 1259 of the Session Acts of 1881-2," approved April 22, 1882;

An act to establish a city government for the town of Catlettsburg, in Boyd county;

An act to incorporate the town of Pleasant Valley, in Carter county;

An act to amend an act, entitled "An act creating a new charter for the town of Warsaw, in Gallatin county;"

An act to amend an act, entitled "An act to incorporate the town of Wallonia, Trigg county," approved March 16, 1879;

An act for the benefit of the town of Franklin, in Simpson county;

An act to create the sixth magisterial district in Anderson county, and to fix the place of voting therein;

An act to incorporate the Hardinsburg and Cecelia Railroad Company;

An act to amend the charter of the Shelbyville and Burk's Branch Turnpike Road Company;

An act to amend an act to amend an act, entitled "An act to amend and reduce into one the acts in relation to the town of Hardinsburg," approved April 1, 1882;

Resolution appropriating money to repair the Clay monument;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor;

An act for the benefit of H. E. Ferguson, of Monroe county;

An act for the benefit of S. S. Fitzpatrick, of Hart county;

An act for the benefit of Elizabeth H. Reed;

An act to incorporate the National Order Mutual Aid of Kentucky;

An act to amend section 5 of chapter 70 of the General Statutes;

An act to incorporate the Burlington Hotel and Livery Stable Company in Burlington, Boone county, Kentucky;

An act to add Morgan county to the court of common pleas

district, composed of the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott, and fixing a time for holding common pleas court therein ;

An act requiring safety gates and a watchman to be kept at the crossing of the Maysville and Big Sandy Railroad, and the Maysville, Orangeburg and Mount Carmel Turnpike Road, in the town of Chester, in Mason county ;

An act to incorporate the North Kentucky Agricultural and Breeders' Association near Walton, Boone county ;

An act to authorize Warren county to purchase and make free turnpike roads therein, and to that end to issue the bonds of said county ;

An act to incorporate the Harness-makers Benevolent and Protective Union, of Louisville, Kentucky ;

An act for the benefit of Louis Seeger, of the city of Louisville, Kentucky ;

An act to establish an additional magisterial district in Daveiss county ;

An act to amend act, entitled "An act changing the boundary and limits of the city of Owensboro, in Daveiss county ;"

An act to provide for a registration of voters in the city of Owensboro ;

An act for the benefit of Poplar Plains and Tilton Turnpike Road Company, of Fleming county ;

An act to define the county line of Estill county ;

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county, Kentucky," approved April 21, 1884 ;

An act to amend the charter of the town of Kirkmansville, in Todd county, passed April 7, 1882 ;

An act to amend the charter of the American Gas and Mineral Company ;

An act to attach Owsley county to the 17th Senatorial District ;

An act to repeal section 5 of an act, entitled "An act to, incorporate the Paducah Woodenware Manufacturing Company, of the city of Paducah ;

An act to amend an act, entitled "An act for the benefit of Jefferson county (road law)," approved February 26, 1890 ;

An act to amend act an to incorporate the town of Clifton, in Jefferson county, approved April 4, 1884 ;

An act to amend section 32 of an act, entitled "An act to repeal the charter of the town of Uniontown, and all amendments thereto, and to re-incorporate the same," approved April 28, 1884 ;

An act to establish two voting places in justice's district No. 5, in Elliott county ;

An act to amend section 4, of chapter 148, of the acts of 1844-5 ;

An act for the benefit of B. F. Jenkins, of Elliott county ;

An act to incorporate the Taylor Academy, in Campbellsville, Taylor county ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Peterman, from the Committee on Education, to whom was referred the nominations by the Governor of Hon. W. B. Kincaid, of Lexington, Dr. R. J. Spurr, of Fayette county, Hon. P. P. Johnson, of Fayette county, and Philemon Bird, of Shelby county, to be Trustees in the Agricultural and Mechanical College at Lexington, Kentucky, to fill existing vacancies and to hold office for four years,

Reported said nominations to the Senate, with the expression of opinion that they be advised and consented to.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act amending the charter of the Louisville Stave and Lumber Company, a corporation organized under the general law.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn read and laid on the table the following joint resolution, viz :

WHEREAS, Complications have arisen making it impossible to complete, within the present limit, pending business and elect a successor to Hon. James B. Beck, deceased ; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the present session of the General Assembly be extended indefinitely.

2. That this resolution shall take effect from its adoption.

Mr. Hays moved that the rules of the Senate requiring a joint resolution to lie one day on the table be dispensed with, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to amend said resolution, by striking out the word "indefinitely," and inserting in lieu thereof the words "May 19th."

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Dickerson moved to reconsider the vote by which the Senate adopted said resolution.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Reynolds—

1. A bill, entitled "An act to amend subsection 2 of section 761, title 18, of the Civil Code.

On motion of Mr. Roberts—

2. A bill for the benefit of S. Parish, Madison county.

Ordered, That the Committee on Codes of Practice prepare and bring in the 1st and the Committee on Claims the 2d.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to provide for the disabled firemen of Kentucky.

(*For bill, see Senate Journal of Wednesday, May 7th.*)

The question being on the adoption of the motion made by Mr. Glenn to reconsider the vote by which the Senate had passed said bill,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goebel and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. M. Pieratt,
W. F. Berry,	J. B. Hannah,	B. F. Reynolds,
Ben F. Bradley,	J. P. Huff,	Phil Roberts,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
B. F. Cockrell,	J. H. Lunsford,	G. Terry,
Reuben Conner,	J. W. Martin,	J. S. Wortham,
F. W. Darby,	D. L. May,	D. W. Wright—23.
G. W. Gates,	Jas. H. Mulligan,	

Those who voted in the negative, were—

W. W. Dickerson,	R. G. Hays,	John P. Newman,
Sam E. English,	William Lindsay,	Chas. B. Poyntz—8.
William Goebel,	J. W. McCain,	

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Breckinridge moved to amend said bill as follows, viz :

Amend by adding as an additional section these words, viz :
 “That the provisions of this act shall apply to all members of ‘Bucket Brigades’ and all private citizens of this Commonwealth, who shall be killed or receive injury in assisting to extinguish a fire or save property from a burning building.”

Mr. May moved to lay said bill and pending amendment on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and May, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	F. W. Darby,	B. F. Reynolds,
W. F. Berry,	T. L. Glenn,	Phil. Roberts,
Ben F. Bradley,	J. B. Hannah,	D. H. Smith,
R. J. Breckinridge,	John R. Kemp,	G. Terry,
B. F. Cockrell,	D. L. May,	J. S. Wortham—17.
Reuben Conner,	J. M. Pieratt,	

Those who voted in the negative, were—

W. W. Dickerson,	J. P. Huff,	J. W. McCain,
Sam E. English,	William Lindsay,	John P. Newman,
G. W. Gates,	J. H. Lunsford,	Chas. B. Poyntz,
William Goebel,	J. W. Martin,	D. W. Wright—14.
R. G. Hays,	James H. Mulligan,	

So said bill was rejected.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Peterman, from the Committee on Education—

An act to establish a graded school in common school district No. 1, in Leslie county.

By same—

An act to charter Douglass Academy.

By same—

An act for the benefit of common school districts Nos. 33 and 34, of Henderson county.

By same—

An act for the benefit of school district No. 27, of Trigg county.

By same—

An act for the benefit of E. L. Garnett, Jas. Carman and John W. Wrather, trustees in and for common school district No. 42, in Graves county, Kentucky.

By same—

An act for the benefit of school district No. 85, in Daveiss county, Kentucky.

By same—

An act to authorize district No. 83, in Barren county, to vote a tax for three years for the purpose of extending the session of said school.

By same—

An act to authorize the board of trustees of the town of Glasgow to take the sense of the legal voters of said town upon the question of issuing bonds to improve the streets.

By Mr. Poyntz, from the Committee on Finance—

An act to authorize the Lewis County Court to provide for the erection of a bridge over Scaffold Lick Creek, in Quincy precinct.

By same—

An act to enable the Board of Trustees of the town of Dover, in Mason county, Kentucky, to issue bonds of said town for the improvement of the town of Dover, and in aid of the establishment of manufactures in said town.

By same—

An act to authorize the consolidation of the town of Chester with the city of Maysville, in Mason county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Real Estate and Loan Company.

By same—

An act to incorporate the Home Deposit and Trust Company.

By same—

An act to incorporate the Loan and Investment Company, of Irvine.

Ordered, That said bills be severally read the third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, which were directed to prepare and bring in the the same, viz :

By Mr. Berry, from the Committee on Federal Relations—

An act to amend an act, entitled "An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the

sum of four hundred and fifty thousand dollars in amount," approved April 7, 1890.

By Mr. Peterman, from the Committee on Education—

An act to authorize the levy of an additional school tax in Ashland.

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act for the benefit of the Mt. Zion Turnpike Road Company, in Nicholas county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Smith the Senate then adjourned.

SATURDAY, MAY 10, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act concerning the financial board of the Southern Baptist Theological Seminary.

An act to empower the police court, of the town of Kuttawa, to work parties that have been convicted of misdemeanors upon the streets of said town.

An act to amend an act, entitled "An act to establish a system of common schools in the town of Corydon, Henderson county," approved March 25, 1872, and the acts amendatory thereof.

An act to change the voting place in the second magisterial district, in Lyon county, from the Tennessee Rolling Mill to Confederate, in the same district.

An act to incorporate the Kirksville Fair Ground Company.

An act to amend the charter of the city of Cynthiana, Kentucky.

An act to incorporate the Prestonsburg Water Works Company.

An act to incorporate the Stone Lick Turnpike Road, in Bracken county.

An act providing punishment for vagrants and tramps in Marion county.

An act for the benefit of S. H. Mason, late sheriff of Hancock county.

An act to repeal an act, entitled "An act for the benefit of the Ridge Turnpike Road Company, in Shelby county," approved April 13, 1888.

An act to incorporate the Woman's Christian Temperance Union, of Hawesville.

An act for the benefit of the Shelbyville and Eminence Turnpike Road Company.

An act for the benefit of Peter C. Sower.

An act to amend the charter of the Union County Fair Company, and amendment thereto, approved February 29, 1888.

An act to amend section 15, article 1, chapter 5, of the General Statutes.

An act to incorporate the Mt. Carbon, Prestonsburg and Pikeville Telephone Company.

An act to repeal an act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company, in Shelby county, approved February 19, 1873.

Resolution in relation to a Public Building at Bowling Green, Kentucky.

An act to change the time of holding the Circuit Court in the counties of Jackson and Laurel.

An act to amend and reduce into one the several acts in relation to city of Lawrenceburg, in Anderson county.

An act to attach the county of Jackson to the Common Pleas Court, composed of the counties of Harlan, Perry, Leslie, Laurel, Whitley, Knox and Bell.

An act to incorporate the North Side Land Company.

An act to incorporate the Fidelity Trust Company, of Paducah, Kentucky.

An act to prevent stock from running at large on the Mt. Sterling and Maysville turnpike road, in Montgomery county.

An act extending the provisions of the State Pharmacy Laws to Larue county.

An act to incorporate the Sacramento Fair Association.

An act to incorporate the Jessamine Safety Vault and Trust Company.

An act to incorporate the Citizens' Bank of Meade County.

An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the charter, and amendments thereto, of the town of Winchester, and to authorize the Board of Councilmen of said town to contract for a water supply for said town.

An act to incorporate the Citizens' Home and Loan Association, of Lexington, Kentucky.

An act to incorporate the Workingmen's Building and Loan Association.

An act to allow the citizens of this Commonwealth to meet, organize, hold lodge meetings, or religious services in the district school houses of this State.

An act to amend section 710, Civil Code of Practice ;

An act to amend chapter 691, approved April 11, 1890, entitled "An act to repeal an act to amend an act for the benefit of the tax-payers of Lyon county," approved February 6, 1878, and to authorize said county to compromise its debts, issue bonds, levy and collect taxes to pay same, approved April 1, 1882.

An act to further amend the charter of the city of Covington, in respect to supplying water for the citizens of said city and others.

An act for the benefit of John G. Reynolds, of Green county, Kentucky.

An act to procure the turnpikes of Harrison county and make them free to the public.

An act concerning the Bourbon County Agricultural Association.

An act to incorporate the Kentucky Capitalization Company.

An act concerning the Madison Academy, in Richmond, Kentucky.

An act to incorporate the Fordsville Banking Company.

An act to authorize the County Court of Fayette county to obtain, purchase, or lease turnpike roads, in said county and maintain them free of toll from the traveling public.

An act to incorporate the city of Hardinsburg, in Breckinridge county.

An act to incorporate the Yellow Creek Investment Company.

An act to incorporate the People's Trust and Safety Vault Company, of Jessamine county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the Shelby County Court, levying a tax for turnpike purposes, and issuing bonds for the benefit of turnpike roads," approved April 3, 1890.

An act to amend, revise and reduce into one, all of the several acts concerning the town of Madisonville, and to re-incorporate said town.

An act to call a convention to adopt, amend or change the Constitution of the State of Kentucky.

An act to amend the charter of the Frankfort Coal and Iron Mining, Oil, Salt and Timber Company.

An act for the benefit of J. J. Stevens and Mrs. Lucy N. Scott, of common school district No. 55, of Boone county.

An act to incorporate the Winchester Tobacco Company.

An act to amend an act, entitled "An act for the benefit of common school district, No. 25, in Oldham county, and amendments thereto."

An act for the benefit of common school district No. 74, Barren county.

An act relating to the working of public roads, in Daveiss county.

An act for the benefit of common school district No. 75, in Lewis county.

An act to incorporate the People's Supply Gas Company, in Boyd county.

An act to repeal the amendment to an act authorizing the Floyd County Court to levy a poll and ad valorem tax to pay for public buildings in said county, which was approved May 5, 1884.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the acts incorporating the town of Louisa, approved March 11, 1869, and the acts amendatory thereof,'" approved May 3, 1884.

An act to amend an act to incorporate the town of Gistville, in Henry county, approved March 11, 1862.

An act to incorporate the Red House and Four Mile Turnpike Road Company.

An act to change the times of holding the Quarterly Court in Caldwell county.

An act to authorize the County Levy Courts of Floyd and Johnson counties to provide for the payment of the cost of printing copies of the road laws, for distribution in said counties.

An act to incorporate the town of South Park, in Jefferson county.

An act to incorporate the Lexington Canning Company.

An act to amend an act, entitled "An act to incorporate and establish a system of public schools in district No. 49, in Logan county, including the town of Adairville," approved March 24, 1888.

An act to incorporate the Garfield Building and Loan Association.

An act to establish and maintain a graded free school in common school district No. 38, in Marshall county.

An act to authorize the trustees of Greenville Seminary to sell and convey the Greenville Seminary lot and appurtenances, and to turn the proceeds and other assets of said seminary over

to the trustees of common school district No. 14, of Muhlenberg county, for certain purposes.

An act for the benefit of the sureties of Geo. S. Adamson, late sheriff of Bracken county.

An act to establish an additional voting place in Daveiss county.

An act to incorporate Gray Lodge, No. 27, Knights of Pythias, of Versailles, Kentucky.

An act to empower the county commissioners of Kenton county to make subscriptions to the capital stock of turnpike roads in said county.

An act to amend an act, entitled "An act to enable the County Court of Mason county to provide free turnpikes in Mason county," approved May 15, 1886.

An act to incorporate the Big Sandy Bank of Cattlettsburg, Kentucky, in Boyd county.

An act to amend an act, entitled "An act to incorporate the town of McHenry.

An act to change the name of the county seat of Elliott county, and to repeal an act, entitled "An act to change the name of the county seat of Elliott county," approved February 13, 1888.

An act to amend an act, entitled "An act to incorporate the Clifton and Reservoir Park Railroad Company.

An act to amend an act, entitled "An act to incorporate an institution of learning in or near Cadiz, in the county of Trigg," approved April 16, 1888.

An act to incorporate the Louisa Water Company.

An act imposing a tax on dogs, and providing for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth.

An act to prohibit the killing of quails or partridges or other small game, upon certain farms in Lincoln county.

That they had adopted a resolution and passed a bill, which originated in the Senate, of the following titles, viz :

Resolution to extend the present session of the General Assembly indefinitely.

An act to incorporate the Louisville, Mt. Sterling and Norfolk Railroad Company.

That they had passed bills of the following titles, viz :

1. An act to amend the charter of Elizabethtown.
2. An act to authorize the consolidation of the Richmond Gas Company, Richmond Water-works Company and the Richmond Electric Light Company.

3. An act to incorporate the McFerran Memorial Baptist Church, at Louisville, Kentucky.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The first was referred to the Committee on Immigration and Labor, and the second and third named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate of the following titles, viz :

An act to amend an act to incorporate the town of Clifton, in Jefferson county, approved April 4, 1884.

An act for the benefit of Monroe county.

An act to amend section 4 of chapter 148 of the Acts of 1845.

An act to repeal section 5 of an act, entitled "An act to incorporate the Paducah Wooden-ware Manufacturing Company of the city of Paducah.

An act to establish two voting places in justices' district No. 5, in Elliott county.

An act to amend section 32 of an act, entitled "An act to repeal the charter of the town of Uniontown and all amendments thereto, and to reincorporate the same," approved April 28, 1884.

An act to amend an act, entitled "An act changing the boundary and limits of the city of Owensboro, in Daveiss county, Kentucky."

An act to amend an act, entitled "An act for the benefit of Jefferson county (road law)," approved February 26, 1890.

An act to amend section 5 of chapter 70 of the General Statutes.

An act to add Morgan county to the court of common pleas district composed of the counties of Estill, Powell, Lee, Wolfe, Breathitt and Knott, and fix a time for holding the common court therein.

An act for the benefit of S. S. Fitzpatrick, of Hart county.

An act requiring safety gates and a watchman to be kept at the crossing of the Maysville and Big Sandy Railroad and the Maysville, Orangeburg and Mt. Carmel Turnpike Road, in the town of Chester, in Mason county.

An act to amend an act, entitled "An act to establish a new charter for the town of Elkton, Todd county, Kentucky," approved April 21, 1884.

An act to establish an additional magisterial district in Daveiss county.

An act to provide for a registration of voters in the city of Owensboro.

An act to incorporate the North Kentucky Agricultural and Breeders' Association, near Walton, in Boone county.

An act to amend the charter of the town of Kirkmansville, in Todd county, passed April 7, 1882.

An act to attach Owsley county to the Seventeenth Senatorial District.

An act to incorporate Taylor Academy, in Campbellsville, in Taylor county.

An act to authorize Warren county to purchase and make free turnpike roads therein, and to that end to issue the bonds of said county.

An act to incorporate the Burlington Hotel and Livery Stable Company in Burlington, Boone county, Kentucky.

An act for the benefit of Poplar Plains and Tilton Turnpike Road Company of Fleming county.

An act to amend the charter of the American Gas and Mineral Company.

An act to define the county line of Estill county.

Mr. Wortham read and laid on the table the following joint resolution, viz :

WHEREAS, The General Assembly of the Commonwealth of Kentucky, at its present session, with the view of suppressing lotteries in this State, has passed certain acts repealing certain lottery grants, which are believed to have been heretofore fully exhausted, and whereas it is believed that by section 22 of article five of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886, certain lottery grants are being continued in force from year to year by reason of the license therein authorized, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor of Public Accounts is hereby directed not to issue hereafter, by virtue of said statute, any license to any corporation or person to whom a lottery franchise has been granted, or to any grauttee, alienee, legatee, or assignee thereof, until the Court of Appeals of Kentucky shall have hereafter declared by its judgment such franchise to be a lawful and existing one.

2. That this resolution shall take effect and be in force from and after its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Bradley, from the Committee on Railroads, to whom was referred an amendment, adopted by the House of Representatives, to a bill which originated in the Senate, entitled

An act to incorporate the Princeton Belt Railway Company,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Newman, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company,

Reported the same, without amendment.

Mr. Breckinridge moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the affirmative.

So said bill was disagreed to.

Mr. Breckinridge moved to reconsider the vote by which the Senate had disagreed to said bill.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Shelbyville Water Works Company, and to authorize the city of Shelbyville to take stock therein.

Which was granted.

Whereupon the Speaker appointed Mr. Anderson said committee on the part of the Senate.

After a short time, Mr. Anderson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Anderson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Anderson proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Smith moved that the rules be suspended, and that the Senate take up for consideration a bill, which originated in the Senate, entitled

An act to re-apportion the State into eleven Congressional Districts.

And the question being taken on suspending the rules for the

purpose of taking up said bill for consideration, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. W. McCain,
B. F. Cockrell,	William Goebel,	John McCann,
Reuben Conner,	R. G. Hays,	John P. Newman,
F. W. Darby,	J. B. Hannah,	Charles B. Poyntz,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
Sam E. English,	Jas. H. Mulligan,	J. S. Wortham—19
G. W. Gates,		

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	Phil Roberts,
R. J. Breckinridge,	J. W. Martin,	G. Terry,
J. P. Huff,	J. J. Paul,	D. W. Wright—12.

Mr. Lindsay, from the Committee on Banks and Insurance, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Fidelity Trust and Safety Vault Company,

Reported the same without amendment.

Mr. Breckinridge moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

(*For bill and the message vetoing the same, see Senate Journal April 24th, page 1338.*)

Mr. Dickerson moved that the further consideration of said bill be postponed, and that said bill be made the special order of the day for Thursday next, May 15th, at 11 o'clock A. M., and from day to day until disposed of.

Mr. Hays moved that the further consideration of said bill be postponed indefinitely.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John R. Kemp,	D. H. Smith,
Ben F. Bradley,	J. J. Paul,	D. W. Wright—7.
R. J. Breckinridge,		

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
B. F. Cockrell,	J. B. Hannah,	John McCann,
Reuben Conner,	J. P. Huff,	John P. Newman,
F. W. Darby,	William Lindsay,	J. M. Pieratt,
W. W. Dickerson,	J. H. Lunsford,	Chas. B. Poyntz,
G. W. Gates,	J. W. Martin,	Phil Roberts,
T. L. Glenn,	D. L. May,	G. Terry,
William Goebel,	Jas. H. Mulligan,	J. S. Wortham—24.

Mr. Newman moved to amend the motion made by Mr. Dickerson so that said bill shall on said day have precedence over all other special orders and so continue until disposed of.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of the motion of Mr. Dickerson, as amended, and was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. W. McCain,
W. F. Berry,	R. G. Hays,	John McCann,
Ben F. Bradley,	J. P. Huff,	John P. Newman,
R. J. Breckinridge,	John R. Kemp,	J. J. Paul,

B. F. Cockrell,	J. H. Lunsford,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	Chas. B. Poyntz,
W. W. Dickerson.	D. L. May,	J. S. Wortham,
T. L. Glenn,	Jas. H. Mulligan,	D. W. Wright—24.

In the negative—Phil Roberts—1.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act defining the rights and powers of the county of Kenton in turnpike road companies in Kenton county, to the construction of which roads said county has contributed her money ;

An act to amend an act to incorporate the Central Valley Railway Company ;

An act to amend the charter of the city of Ashland ;

An act to amend an act, entitled “An act to incorporate the Frankfort, Carrollton and Madison Railroad Company ;”

An act to incorporate the Union Building and Loan Association ;

An act to amend an act, entitled “An act to incorporate the Farmers’ and Merchants’ Bank of Falmouth,” approved March 25, 1890 ;

An act to amend an act, entitled “An act to empower the county court of Pendleton county to make subscriptions to the capital stock to turnpike roads in said county,” approved March 15, 1878, and an act amendatory thereto, approved April 1, 1886 ;

An act to amend an act, entitled “An act to incorporate the town of Providence, in Webster county,” approved February 17, 1871 ;

An act to prohibit the sale of any spirituous, vinous or malt liquors in a less quantity than five gallons within a radius of one mile of Macedonia Baptist Church, in Grant county, and to prescribe a penalty therefor ;

An act for the benefit of the Baptist Church in Barbourville, Knox county, Kentucky ;

An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town ;

An act to amend an act, entitled "An act to incorporate the town of Cerulean Springs, in the county of Trigg," approved March 9, 1888 ;

An act to incorporate the Commercial Travelers' Benevolent Society of America ;

An act to authorize the trustees of the Methodist Episcopal Church of Bethel, Bath county, to sell and convey certain lands ;

An act for the benefit of all persons residing inside the corporation of the town of Florence liable to work on the public roads in Boone county ;

An act declaring a certain order of the Larue County Court valid and binding ;

An act to change the boundary line of the town of Beattyville, and increase the license of venders of spirituous, vinous or malt liquors, etc. ;

An act to incorporate the Paintsville Lodge, No. —, Independent Order of Odd Fellows, at Paintsville, in Johnson county ;

An act to amend the charter of the town of Rockport, in Ohio county ;

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company," approved March 10, 1888 ;

An act to incorporate the Inter-state Tunnel Railway Company ;

An act to amend chapter 398, an act, entitled "An act to incorporate Middlesborough Street Railway Company ;"

An act to amend chapter 73, section 15, General Statutes ;

An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Montpelier, Adair county ;

An act to fix and change the place of voting in district No. 4, in Morgan county ;

An act requiring tavern-keepers in the county of Lee to pay county license ;

An act, entitled "An act to amend an act, entitled 'An act to provide for the funding and payment of the debt of Harrison county ;'"

An act to declare Bear Pen creek, in Wolfe county, a navigable stream ;

An act declaring Swift's Camp creek, in Wolfe county, a navigable stream ;

An act to cede to the United States jurisdiction over a site for a public building in the city of Richmond, Kentucky ;

An act to amend an act, entitled "An act to amend the charter of the town of Parkland, Jefferson county," approved April 5, 1888 ;

An act to amend the charter and change title of the Louisville Southeastern Railroad Company ;

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company ;

And enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend section 51, of the Civil Code of Practice ;

An act to amend an act, entitled "An act to incorporate the Paducah and Cairo Railroad Company," approved March 16, 1888 ;

An act to incorporate the Campton and Hazel Green Turnpike Company ;

An act in relation to the management of trains where railways cross each other ;

An act to incorporate the Uniontown and Clarksville Railroad Company ;

An act to incorporate the Commerce Insurance Company, of Mt. Sterling, Kentucky ;

An act to amend an act, entitled "An act to incorporate the Ashland Water Supply Company," approved April 3, 1890 ;

An act to amend an act to incorporate the Paducah Hotel Company ;

An act to incorporate Buford Lodge No. 494, Free and Accepted Masons, at Midway, Woodford county, Kentucky ;

An act to prohibit the sale of spirituous, vinous and malt liquors, and mixtures thereof, within one mile of Bethany Church, at Holbrook, in Grant county ;

An act to incorporate the Clay City Bank and Trust Company ;

An act to incorporate the American-German Bank, at Paducah ;

An act to amend an act to incorporate the People's Bank, of Owensboro ;

An act to authorize the board of council of the town of Danville, to close up so much of Cemetery street as lies within the limits of its cemetery property ;

An act to incorporate the Silver Cliff Bank, of Kuttawa ;

An act for the appointment of official reporters for the 4th judicial district, composed of the counties of Daveiss, McLean, Ohio and Hancock, and for the preservation of evidence in certain cases ;

An act to incorporate the Falls of Rough Water Company ;

An act to incorporate the People's Bank, of Winchester ;

An act to incorporate the Winchester Water Company ;

An act to amend an act amending the charter of the German Savings and Homestead Fund Company, approved April 3, 1890 ;

Resolution to extend the present session of the General Assembly indefinitely ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the South Covington and Cincinnati Street Railway Company.

By same—

An act to provide for the construction of a public highway in Kenton county, Kentucky, by the cities of Covington and Lud-

low and the town of West Covington, at the cost of said municipalities.

By Mr. Terry, from the Committee on General Statutes—

An act to enable Logan county to work upon its public roads the delinquents in the payment of the county levy tax.

By same—

An act to amend and reduce into one the several acts in relation to the charter of the town of Adairville, in Logan county.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to create a legal voting precinct at Hubbard, in common school district No. 24, in Lyon county.

By same—

An act for the benefit of William H. Corbett (*alias* Heck Corbett), of McCracken county.

By same—

An act to amend an act to incorporate the Bond's Mill and Chase Lick Creek Turnpike Road Company, in Anderson county.

By same—

An act to create the office of county treasurer of Mercer county.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Belle Grove Springs and Blue Bank Turnpike Road, in Fleming county," approved February 27, 1865.

By same—

An act to incorporate the Sinking Creek Turnpike Company.

By same—

An act to enable the county court of Madison county to have free turnpikes in Madison county.

By same—

An act to incorporate the Flat Creek and Bald Eagle Turnpike Road Company, in Bath county.

By same—

An act to incorporate the Roberts' Road and Hunter's Ferry Turnpike Road, in Jessamine county.

By Mr. Lunsford, from the same committee—

An act to incorporate the town of East View, in Hardin county, Kentucky.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act for the benefit of the city of Frankfort.

By same—

An act to amend an act, entitled “An act to incorporate the Eldorado and Dugansville Turnpike Road Company.”

By same—

An act to amend an act to provide for the election, and in part define the duties of a mayor, board of councilmen and school trustees of the city of Frankfort, and to provide for the establishment of a board of commissioners to control the police and fire departments thereof, and define their duties, approved April 30, 1888.

By same—

An act to protect the citizens of district No. 1, on the east side of turnpike road, in Anderson county, from trespass by stock.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Eminence Mutual Live Stock Insurance Company of Kentucky.

By same—

An act to incorporate the Traders' and Deposit Bank.

By same—

An act to incorporate the Kentucky Banking Company.

By same—

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company.

By same—

An act to increase the jurisdiction of the magistrates to two hundred dollars in the county of Trigg.

By same—

An act incorporating the Harrodsburg Saving and Deposit Bank and Trust Company.

By same—

An act to incorporate the Farmers' Bank of Mayslick, Kentucky.

By same—

An act to incorporate the People's Bank of Mt. Washington.

By Mr. McCain, from the Committee on Railroads—

An act to incorporate Turner's Station, Drennon's Springs and Owenton Railroad.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be severally read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. McCann, leave was granted him to bring in a bill, entitled

An act to authorize the issuance of five hundred thousand dollars of municipal bonds of the city of Louisville.

Ordered, That the Committee on Courts of Justice prepare and bring in said bill.

Mr. Darby moved that when the Senate adjourn, it be to meet on Monday next, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Dickerson moved to reconsider the vote by which the Senate had adopted said motion.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on General Statutes—

An act to amend and reduce into one the several acts in relation to the town of Rochester, Butler county, approved February 7, 1884.

By Mr. Goebel, from the same committee—

An act to amend an act, entitled "An act in relation to the posting of lands in this Commonwealth," approved March 13, 1878, in so far as it applies to Fleming and Lewis counties.

By Mr. Lindsay, from the Committee on Banks and Insurance—

An act to extend the boundary line of Beattyville, etc.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, of the following title, viz :

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That every corporation, association, company, firm or person engaged in this State in mining coal, ore or other mineral, or quarrying stone, or in manufacturing iron, steel, lumber, staves, heading, barrels, brick, tile, machinery, agricultural or mechanical implements, or any article of merchandise, shall pay each employe of such corporation, company, association, firm or person, if demanded, at least once every two weeks the amount due such employe for labor, or such goods, etc., and such payment shall be in lawful money of the United States, and any contract to the contrary shall be void.

§ 2. That any person, corporation, company or association, or any member, agent or employe thereof, who shall publish, issue or circulate any check, or card, or other paper, which is not commercial paper, payable at a fixed time in any bank in this State at its full face value, in lawful money of the United States, with legal interest, or by bank check, or currency issued by authority of the United States government, to any employe of such person, corporation, company or association, in payment for any work or labor done by such employe, or contracted to be done by such employe, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred nor more than five hundred dollars.

§ 3. It shall be unlawful for any corporation, company, association, firm or person, described in section 1 of this act, or the officers and agents of the same, to make any discrimination in the sale of their goods wares and merchandise, against their employes, in payment of wages earned by them, by which they will be required to pay higher prices for the goods, wares and merchandise so purchased by them, than the general customers of the such persons, association, company, or corporation, are required by them to pay for the same class of goods sold for cash, unless a contract has been made with such laborers before the wages shall have been earned, authorizing them to do so.

§ 4. Every corporation, company, association, firm or person, who shall fail or refuse, for ten days after demand of payment has been made, to pay employes for their labor, in conformity with the provisions of this act, shall be liable to such employe for the full value of his labors, to be recovered in a civil action.

§ 5. Every corporation, company, firm or person, who knowingly and wilfully violates any of the provisions of section 3 of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than one hundred nor more than five hundred dollars.

§ 6. This act shall in no way effect the liens of laborers as now secured to them by the laws of this State.

§ 7. This act shall take effect and be in force from and after 1st day of June, 1890.

Mr. Lindsay had heretofore proposed to amend said bill as follows, viz :

Amend by inserting after the word "contract," in the 10th, and before the word "to," in the 11th line, of the first section, the words "unless freely and understandingly entered into."

Mr. Breckinridge moved to amend said bill as follows, viz :

Amend by inserting after the word "merchandise," and before the word "shall," in the 6th line of the first section the words "or building railroads, or operating railroads, or any person who shall employ or hire any person in any business in which he may be engaged."

Mr. Breckinridge also proposed the following amendment to said bill, viz :

Amend section 1st by striking out of said section in lines 9 and 10, the words "and such payment shall be in lawful money of the United States."

Pending the further consideration of said bill and proposed amendments thereto, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

MONDAY, MAY 12, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to establish a city government for the town of Catlettsburg, in Boyd county.

An act to amend an act, entitled "An act to amend and reduce into one the acts in relation to the town of Harrodsburg," approved April 1, 1882.

An act to ratify the acts of James E. Browning and his predecessor, as deputy county court clerk while acting as county surveyor of Todd county.

An act to amend an act, entitled "An act to charter the Butler and Boston Turnpike Company, in Pendleton county," approved April 13, 1888.

An act to incorporate the town of Pleasant Valley, in Carter county.

An act to prevent the destruction of fish in South Elkhorn, lying within the borders of Woodford county, Kentucky.

An act to incorporate the Sacramento and Central City Railroad Company.

An act to create the sixth magisterial or justice district, in Anderson county, and to fix the place of voting therein.

An act to incorporate the Hardinsburg and Cecelia Railroad Company.

An act to amend the charter of the Kentucky Female Orphan School, located at Midway, Woodford county.

An act to amend an act, entitled "An act to incorporate the town of Wallonia, in Trigg county," approved March 16, 1878.

An act to amend the charter of the Shelbyville and Burk's Branch Turnpike Road Company.

An act for the benefit of the town of Franklin, in Simpson county.

An act to repeal an act, entitled "An act to repeal chapter 1259 of the session acts of 1881 and 1882, entitled 'An act to define the jurisdiction of the courts of justice of the peace, in the county of Spencer, approved March 16, 1886, and to revive and continue in force chapter 1259 of the Session Acts of 1881 and 1882,' " approved April 22, 1882.

An act to amend an act, entitled an act creating a new charter for the town of Warsaw, in Gallatin county."

Resolution appropriating money to repair the Clay monument.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky Baptist Historical Society.

An act to incorporate the West Point and Louisville Railroad Company.

An act to amend the charter of the city of Louisville.

An act to redistrict the counties of Johnson, Martin, Pike, Letcher, Floyd and Knott into legislative districts.

An act to amend the charter of the city of Covington.

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act amending the charter of the Louisville Stave and Lumber Company, a corporation organized under the general law.

An act extending and enlarging the boundary of common school district No. 17, white, Madison county.

An act to change and fix the time of holding the courts in the Thirteenth Judicial District.

An act to incorporate the Florence and Covington Street Railway Company.

An act for the benefit of Hezekiah Ellis.

An act to provide for the issual of county bonde for the erection of a new court-house in Montgomery county ;

An act to authorize the county court of Montgomery county

to subscribe for stock in turnpike roads in said county, and to provide means for the payment thereof.

An act to incorporate the Anchor Fuel and Light Company.

An act for the benefit of W. G. Goodwin and wife.

An act to incorporate the town of Highland Park, in Jefferson county.

An act for the protection of the Mammoth Cave and the Mammoth Cave estate, in Edmonson county.

An act to amend the charter of the city of Louisville and directory to board of commissioners of public charities of said city.

An act to amend the charter of the Louisville Southern Railroad Company.

An act to permit the booming of the tributaries of Licking river, in the counties of Rowan, Morgan, Menefee and Magoffin.

An act to amend the charter of Brooksville.

An act to incorporate the Fort Jefferson Street Railway Company.

An act to incorporate the Burks' Branch and Chestnut Grove Turnpike Company, in Shelby county.

An act for the benefit of white school district No. 28, of Madison county.

An act to incorporate the Grayson County Fair Company.

An act to amend an act, entitled "An act to create a common pleas court in the counties of Bourbon, Clark, Madison, Bath and Montgomery.

An act to incorporate the Citizens' Bank of Winchester.

An act to incorporate the Goose Pond Drainage and Improvement Company.

With an amendment to the last-named bill,

Ordered, That said bill, together with the amendment thereto, be referred to the Committee on Propositions and Grievances.

That they had passed bills of the following titles, viz:

1. An act for the benefit of Miss Rosa Mattingly, of Daveiss county.

2. An act to regulate the sale of spirituous, vinous and malt liquors within the corporate limits of the town of Louisa.

3. An act to amend the charter of Ashland, Boyd county.

4. An act to amend an act, entitled "An act to establish a road law for Lawrence county."

5. An act to repeal chapter 1009, Session Acts of 1887 and 1888, entitled "An act for the benefit of certain persons in the county of Daveiss."

6. An act to protect the purity of primary elections in the county of Hopkins.

7. An act to amend the charter of the city of Paducah.

8. An act to amend an act to incorporate the Drennon Creek Turnpike Company, and authorize a portion of Henry county to indorse the bonds of said company.

9. An act to incorporate the Republican State League of Kentucky.

10. An act to amend an act, entitled "An act to incorporate the Falls City Real Estate Company."

11. An act to amend an act, entitled "An act to incorporate the Harrodsburg Classical and English Academy."

12. An act to amend an act to incorporate the Citizens' Bank of Booneville, approved April 25, 1890.

13. An act to provide for holding primary elections in Magoffin county.

14. An act creating a lien in favor of blacksmiths in Spencer and Bullitt counties.

15. An act to incorporate the Grassy Flats Drainage Company, and promote the drainage of wet lands.

16. An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad.

17. An act to amend an act, entitled "An act to incorporate the Flemingsburg graded high schools," approved 29th day of April, 1890.

18. An act for the benefit of Laurel Seminary.

19. An act authorizing the First Christian Church of Paducah, Kentucky, to issue bonds for the purpose of erecting a house of worship, and to mortgage its property to secure said bonds.

20. An act to change the line between common school districts Nos. 14 and 70, in Breckinridge county.

21. An act to charter the Carrollton Electric Light and Power Company.

22. An act to incorporate the Black's Pond and Peak's Mill Turnpike Road Company.

23. An act to amend an act, entitled "An act to incorporate the city of Pineville, in Bell county," approved April 16, 1890.

24. An act to amend an act, entitled "An act to incorporate the Middlesborough Water Company," approved February 25, 1890.

25. An act to incorporate the Cynthiana Electric Light and Artificial Ice Company.

26. An act to repeal an act, entitled "An act to amend an act, entitled 'An act to establish a levy and county court for Jefferson county,' " which became a law without the Governor's approval, April 23, 1888.

27. An act to amend chapter 1065, sessions 1887 and 1888, entitled "An act amend an act to establish the office of physician to jail of Jefferson county."

28. An act to further amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county," approved March 9, 1888.

29. An act to amend an act, entitled "An act to change the time of holding the examination of county superintendent so far as the same applies to the counties of Knott and Letcher."

30. An act to amend the Edison Electric Illuminating, Heat and Power Company.

31. An act to authorize the board of trustees of the Owensboro Female College Company, to confer collegiate degrees.

32. An act to incorporate the city of Beattyville.

33. An act to prevent cattle from running at large in Flemingsburg magisterial district, Fleming county.

34. An act to incorporate the Nicholasville Water-works Company.

35. An act to incorporate the Stoney Run and Doylesville Turnpike Road Company, in Madison county.

36. An act to authorize the trustees of the town of Burgin, in Mercer county, to change a street in said town.

37. An act for the benefit of Hartford College.

38. An act to provide for the construction of a levee along the water front of the city of Newport.

39. An act to incorporate the trustees of St. Paul's English Evangelical Church.

40. An act to incorporate the Rockfield and Northern Railroad Company.

41. An act to incorporate the Colored Cemetery Company of North Middletown, in Bourbon county.

42. An act to repeal an act, entitled "An act declaring a portion of Robinson creek, in Taylor county, a lawful fence for two years," approved March 3, 1890.

43. An act to amend an act, entitled "An act to incorporate the Paris Street Railway Company."

44. An act to amend an act to amend an act incorporating the town of Eminence, approved April 2, 1890.

45. An act to amend an act amending the act incorporating the town of Pleasureville, in Henry county.

46. An act to incorporate the Greenup County Fair Association.

47. An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county.

48. An act to further amend the act incorporating the town of Sulphur, in Henry county.

49. An act to prevent stock from running at large in the Chatham and Germantown precincts, in Bracken county.

50. An act authorizing and requiring persons living along the Humlong and Sharon Turnpike Road, in Bracken county, to work out their road tax on said road.

51. An act in relation to the sale of the Danville Gas Light Company's franchises to the town of Danville.

52. An act to incorporate the Beattyville Electric Company.

53. An act authorizing the constable of the New Haven magisterial district, in Nelson county, to appoint a deputy in the New Hope precinct, in said district.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st, 11th, 17th, 18th, 29th and 37th, to the Committee on Education; the 2d to the Committee on Religion and Morals; the 3d, 4th, 5th, 15th, 26th, 27th, 39th, 42d and 46th, to the Committee on Courts of Justice; the 6th, 28th and 35th, to the Committee on Propositions and Griev-

ances ; the 8th, 21st, 44th, 45th and 48th, to the Committee on Public Expenditures ; the 9th and 33d, to the Committee on Public Health ; the 10th, to the Committee on Banks and Insurance ; the 14th and 53d, to the Committee on General Statutes ; the 22d, 36th and 51st, to the Committee on the Judiciary ; the 23d and 24th, to the Committee on Codes of Practice ; the 25th, 41st and 43d, to the Committee on Agriculture and Manufactures ; the 30th and 38th to the Committee on Immigration and Labor ; the 34th, to the Committee on Internal Improvements ; the 47th, 49th and 50th to the Committee on Revenue and Taxation, and the 7th, 12th, 13th, 16th, 19th, 20th, 31st, 32d, 40th and 52d named bills, were severally ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they were referred, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to incorporate the Cincinnati, Covington and Rosedale Railway Company.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act incorporating the New Farmers' Bank of Mt. Sterling, Kentucky, and granting it power to change its name, and granting it the powers and privileges of the Three States Banking and Trust Company of Middlesborough, Kentucky.

By Mr. Lunsford, from the same committee—

An act to incorporate the Bank of Barbourville.

By same—

An act to incorporate the Barbourville Safety Vault and Trust Company.

By Mr. Paul, from the Committee on Codes of Practice—

An act to incorporate the Barbourville Gas Light Company.

By Mr. Peterman, from the Committee on Propositions and Grievances—

An act to amend the charter of the town of Hiseville, in Bar-county.

By Mr. Wright, from the Committee on General Statutes—

An act to incorporate the Oakland and Stewart's Ford Turnpike Company, in Warren county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate Kenton, Pearce & Company's Bank of Mt. Olivet, Kentucky.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the town of West Covington.

By same—

An act to prevent stock from running at large in the vicinity of or trespassing on the German Roman Catholic Mother of God Cemetery, in Kenton county.

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Central Refrigerating Construction Company," approved May 1, 1888.

By same—

An act to amend the articles of incorporation of the Louisville Stave and Lumber Company.

By same—

An act to incorporate the Consolidated Jellico Coal and Iron Company.

By Mr. Hendrick, from the Committee on the Judiciary—

An act to incorporate the Ashland Real Estate and Loan Company.

By Mr. Lindsay, from the same committee—

An act for the benefit of W. F. Beard Lodge No. 583, F. A. M., and Franklin Lodge No. 261, I. O. O. F., in Franklin county.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to charter the Deposit Bank of Gratz.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. May withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed, with an amendment, a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville and Hodgenville Railway Company.

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate of a bill, which originated in the House of Representatives, of the following title, viz :

An act to amend the charter of the city of Louisville.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisville Belt Railway and Transfer Company.

Which was granted, and said bill delivered to the messenger.

On motion of Mr. Darby—

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the passage by the Senate, with an amendment, of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

After a short time, the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Peterman moved that when the Senate adjourn, it be to meet on to-morrow at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky Land and Mining Company ;

An act to incorporate the Fordsville Land Development and Improvement Company ;

An act to incorporate the Cynthiana Western Railroad Company ;

An act to amend an act, entitled "An act amending an act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building and aiding in building railroads, bridges and telegraph lines," approved March 28, 1872 ;

An act to amend the charter of the town of Sebree City, in Webster county ;

An act to amend the charter of the city of Louisville ;

An act to declare Green river, in Edmonson county, a lawful fence ;

An act to incorporate the Big Sandy Turnpike Company ;

An act to incorporate the Owensboro Belt Line Railway and Transfer Company ;

An act to incorporate the Central Improvement Company ;

An act to amend section 6 of an act, entitled "An act to incorporate the Laurel County Fair Company," approved April 14, 1886 ;

An act authorizing the Ghent and Gallatin Turnpike Company to collect tolls for the lessees of the Sugar Creek and Stephens' Creek Turnpike Company and the Stephens' Creek and Carroll Line Turnpike Company ;

An act authorizing the magistrates in the Glencoe district, in Gallatin county, to hold monthly terms of court ;

An act to incorporate the Covedale and Ohio River Turnpike Road Company, in Lewis county ;

An act to prohibit the chasing of deer with dogs, in Edmonson county ;

An act to incorporate the Lebanon and North and South Railroad Company ;

An act to incorporate the Kentucky Oil and Manufacturing Mining Company ;

An act to incorporate the Kentucky and Cumberland Railroad Company ;

An act to authorize district No. 83, in Barren county, to vote a tax for three years for the purpose of extending the session of said school ;

An act to authorize the Jonesville and Glencoe Turnpike Road Company to collect toll for the Sugar Creek and Glencoe Turnpike Road Company, in Gallatin county ;

An act to amend an act, entitled "An act to incorporate the Ohio Valley Improvement and Contract Company ;"

An act to amend an act, entitled "An act to incorporate the Paducah, Hinkleville and Blanville Turnpike or Gravel Road Company ;"

An act to incorporate the Beattyville, St. Helen's and Booneville Telephone and Telegraph Company ;

An act to protect game in the county of Laurel ;

An act to incorporate the Bellmont and Flagg Spring Turnpike Road Company, in Campbell county ;

An act to prevent stock from running at large on turnpike roads in Gallatin county ;

An act to change the location of the State road in Floyd county, and to provide for the building of bridges across the mouths of Abbott creek and Middle creek in said county ;

An act defining the Knott county line ;

An act to declare Owen's creek, of Little Sandy river in Elliott county, a navigable stream ;

An act to amend the charter of the city of Owensboro ;

An act to incorporate the city of Deane-Field, in Ohio county, Kentucky ;

An act to incorporate the Limaburg and Anderson Ferry Turnpike Road Company ;

An act to prohibit the use of wire fencing along the public roads and turnpikes of Carroll county ;

An act to amend an act, entitled "An act to provide a road law for Floyd county," approved April —, 1890 ;

An act authorizing the county attorney of Owen county, to receive certain public books ;

An act to amend an act, entitled "An act to amend an act to provide for the working of persons committed to the custody of the jailers of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter counties," approved March 24, 1888, so far as the same applies to the counties of Floyd and Johnson ;

An act to re-district the counties of Johnson, Martin, Pike, Letcher, Floyd and Knott, into legislative districts ;

An act to amend an act, entitled "An act to establish a system of common schools for the town of Beech Grove, McLean county, approved April 22, 1882, and to repeal an act amendatory thereto," approved March 25, 1890.

An act to incorporate the Smoke King Company, of Louisville, Kentucky ;

An act to incorporate the Fidelity Building and Loan Association, of Bowling Green ;

An act to prevent the sale of spirituous, vinous or malt liquors, or any mixture thereof, in common school district No. 26, in Calloway county ;

An act to prevent stock from running at large on the turnpikes and public roads in Campbellsburg precinct, in Henry county ;

An act to charter the Elkhorn City Boom Company ;

An act to incorporate the Eminence Electric Light, Water and Ice Company ;

An act to establish a graded school in common school district No. 1, in Leslie county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Kentucky Netherlands Trust Company ;

An act to incorporate the Springfield and Cartwright's Creek Turnpike Road Company, in Washington county ;

An act to incorporate the Elkhorn and Big Sandy River Bridge Company ;

An act to incorporate the Elkhorn Land and Mining Company ;

An act appointing commissioners to select, locate and designate a place whereon to build the court-house, clerks offices and

jail of Magoffin county, in the corporate limits of the town of Salyersville ;

An act to incorporate Pleasant J. Potter College ;

An act to incorporate the banking house of Wilson & Muir ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

By unanimous consent the rules were suspended, and Mr. Martin reported a bill, entitled

An act making Mud river the line between Butler and Muhlenberg counties,

With the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Smith the Senate then adjourned.

TUESDAY, MAY 13, 1890.

The Lieutenant-Governor and regular speaker of the Senate, Hon. J. W. Bryan, being absent, at his request, Hon. D. H. Smith took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of all persons residing inside the corporation of the town of Florence liable to work on the public roads in Boone county.

An act to allow the legal voters within the corporate limits of the town of Benton, in Marshall county, to vote as to whether or not spirituous, vinous or malt liquors shall be sold within said town.

An act to amend an act, entitled "An act to incorporate the town of Cerulean Springs, in the county of Trigg," approved March 9, 1888.

An act to prohibit the sale of any spirituous, vinous or malt liquors in a less quantity than five gallons within a radius of one mile of Macedonia Baptist Church, in Grant county, and to prescribe a penalty therefor.

An act to amend an act, entitled "An act to empower the county court of Pendleton county to make subscriptions to the capital stock to turnpike roads in said county," approved March 15, 1878, and an act amendatory thereto, approved April 1, 1886.

An act to amend an act, entitled "An act to incorporate the Cartwright's Creek, Bear Wallow and Manton Turnpike Road Company, in Washington county, and to authorize the Washington County Court to take stock in same"

An act to amend chapter 398, an act, entitled "An act to incorporate Middlesborough Street Railway Company."

An act to amend an act to incorporate the Central Valley Railway Company.

An act to authorize the trustees of the Methodist Episcopal Church of Bethel, Bath county, to sell and convey certain lands.

An act to change and fix the place of voting in district No. 4, in Morgan county.

An act to prohibit the sale of spirituous, vinous and malt liquors within one mile of Montpelier, Adair county.

An act to amend the charter and change the title of the Louisville Southeastern Railroad Company.

An act to amend the charter of the town of Rockport, in Ohio county.

An act to change the boundary line of the town of Beattyville, and increase the license of venders of spirituous, vinous or malt liquors, and so forth.

An act to amend chapter 73, section 15, General Statutes.

An act declaring a certain order of the Larue County Court valid and binding.

An act to incorporate the Inter-state Terminal Railway Company.

An act to amend an act, entitled "An act to incorporate the Richmond, Nicholasville, Irvine and Beattyville Railroad Company," approved March 10, 1888.

An act to incorporate the Union Building and Loan Association.

An act defining the rights and powers of the county of Kenton in turnpike road companies in Kenton county, to the construction of which roads said county has contributed her money.

An act to cede to the United States jurisdiction over a site for a public building in the city of Richmond, Kentucky.

An act for the benefit of the Baptist Church in Barbourville, Knox county, Kentucky.

An act, entitled "An act to amend an act, entitled 'An act to provide for the funding and payment of the debts of Harrison county.'"

An act to declare Bear Pen creek, in Wolfe county, a navigable stream.

An act declaring Swift's Camp creek, in Wolfe county, a navigable stream.

An act to amend an act, entitled "An act to amend the charter of the town of Parkland, Jefferson county," approved April 5, 1888.

An act to incorporate the Paintsville Lodge, No. —, Independent Order of Odd Fellows, at Paintsville, in Johnson county.

An act to amend an act, entitled "An act to incorporate the town of Providence, in Webster county," approved February 17, 1871.

An act requiring tavern-keepers in the county of Lee to pay county license.

An act to prohibit the killing of quail or partridges or other small game upon certain farms in Lincoln county.

That they had concurred in amendments adopted by the Senate, to bills which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Ekron Male and Female College of Meade county, Kentucky.

An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884.

An act to incorporate the Pineville Bank, Loan and Trust Company.

An act to incorporate the Shelbyville Water Works Company, and to authorize the city of Shelbyville to take stock therein.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to permit the Warren County Court to change or modify the terms and conditions upon which Warren county agreed to subscribe to the capital stock of the Bowling Green and Northern Railroad Company.

An act in relation to roads and bridges in McLean county.

An act to further amend and regulate the municipal affairs of the town of Shelbyville.

An act to amend the charter of the town of Ford.

An act constituting Green river a lawful fence from its mouth to the point where it forks with Barren river.

An act to incorporate the Central City Mineral Railroad Company.

An act to incorporate the Hodgenville and Glasgow Railroad Company.

An act to incorporate the Southern Railway News Company.

An act to incorporate the Southwestern News Company.

An act to provide for the adoption and use of trade-marks for timber dealers, and for the punishment of any person or persons defacing or destroying the same, or fraudulently diverting timber bearing such trade-marks to their own use on Licking river and its tributaries.

An act to incorporate the city of Fort Jefferson.

An act to incorporate the Breathitt City Bridge Company.

An act to amend an act, entitled "An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company."

An act to amend an act, entitled "An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount," approved April 7, 1890.

An act for the benefit of the Mt. Zion Turnpike Road Company, in Nicholas county.

That they had passed, with amendments thereto, bills which originated in the Senate, of the following titles, viz :

1. An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within two miles of the Baptist Church, at Hickory Grove, Graves county, Kentucky.

2. An act authorizing and directing the Secretary of State to furnish the county of Rowan with two sets of reports of the Court of Appeals for use in the county and circuit court clerks' offices in said county.

3. An act to incorporate the Lancaster, McKee and Middlesborough Railroad.

Ordered, That the said bills, together with the amendments thereto, be referred—the 1st, to the Committee on Religion and Morals; the 2d to the Committee on Courts of Justice, and the 3d to the Committee on Railroads.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Cumberland River and Jellico Railroad Company.

2. An act to repeal an act to establish a treasurer for Harlan county.

3. An act to prohibit the carrying of guns on election days.
 4. An act to increase the capital stock of the Bank of Ashland.
 5. An act to incorporate the Greensburg and Glasgow Railroad Company.
 6. An act to incorporate the People's Savings Bank, of Maysville, Kentucky.
 7. An act creating a voting place at Blackford, in Webster county.
 8. An act to incorporate the town of Bromley, in Kenton county.
 9. An act establishing a new voting place in the fourth magisterial district, in Kenton county.
 10. An act to close 82 feet 9 inches of a certain alley running east and west between Kentucky and Mechanic streets, in the city of Louisville.
 11. An act to amend an act authorizing the town board of London, Kentucky, to issue bonds to macadamize and provide street lamps for the streets of said town.
 12. An act to amend the charter of the town of Barbourville.
 13. An act to authorize the Fayette County Court to subscribe stock in the Fort Spring and Pinkard Turnpike Road Company.
 14. An act to declare certain tributaries of Middle creek, in Floyd county, navigable streams.
 15. An act to incorporate the Beattyville Street Transit Company.
 16. An act to incorporate the Williamsburg Bridge Company.
- Which bills were severally read the first time, and ordered to be read a second time.
- The constitutional provision as to the second reading of said bills being dispensed with,
- They were referred—the 1st, 5th and 15th to the Committee on Railroads; the 2d, 8th, 9th and 10th to the Committee on Courts of Justice; the 3d to the Committee on Privileges and Elections; the 4th and 6th to the Committee on Banks and Insurance; the 7th, 11th and 12th to the Committee on Codes of Practice; the 13th to the Committee on the Judiciary, and the 14th and 16th to the Committee on Propositions and Grievances.
- Bills which originated in the House of Representatives of the

following titles were reported from the several committees to which they were referred, viz:

By Mr. Hays, from the Committee on Banks and Insurance—

An act to amend an act, entitled “An act to incorporate the Falls City Real Estate Company.”

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend chapter 1065, sessions 1887 and 1888, entitled “An act to amend an act to establish the office of physician to jail of Jefferson county.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Cynthiana Electric Light and Artificial Ice Company.

By Mr. Mulligan, from the Committee on the Judiciary—

An act to authorize the Fayette County Court to subscribe stock for turnpike purposes.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to amend the charter of Elizabethtown.

By same—

An act to amend an act, entitled “An act to incorporate the Edison Electric Illuminating, Heating and Power Company,” approved April 9, 1890.

Ordered, That said bills be severally read the third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stewart, from the Committee on Privileges and Elections, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Robert Clark, late sheriff of Clay county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and Mr. Dickerson reported a bill, entitled

An act to regulate the sale of spirituous and vinous liquors by distillers in Berlin precinct, in Breathitt.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act relating to branding logs on the Kentucky and Cumberland rivers," approved May 15, 1886 ;

An act to authorize the city of Henderson to issue bonds to the amount of \$50,000 ;

An act to incorporate the Kentucky Historical Society ;

An act to amend an act to incorporate the Drennon Springs Company, of Henry county," approved April 7, 1889 ;

An act to authorize the county of Metcalfe to subscribe aid to the Burksville and Northwestern Railroad Company ;

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company ;

An act for the benefit of E. L. Garnett, Jas. Carman and John W. Wrather, trustees in and for common school district No. 42, Green county, Kentucky ;

An act to incorporate the Louisa and Southeastern Railroad Company :

An act to prohibit the sale of spirituous vinous or malt

liquors, within one mile of the public school house, of Hindman county ;

An act to prohibit the sale of spirituous, vinous or malt liquors in Knott county ;

An act to amend the charter of the city of Covington ;

An act to incorporate the Chemical Bank, of Lawrenceburg, Kentucky ;

An act to provide for a stock law for Wood's and Blankenbaker's voting precincts in Jefferson county ;

An act to incorporate the American Guarantee Company, of Louisville ;

An act to incorporate the Citizen's Bank, of Barbourville ;

An act to incorporate the Vine Grove Banking Company ;

An act to incorporate The Bank of Fort Jefferson, at the city of Fort Jefferson, Ballard county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Cincinnati and Kentucky Southern Railroad Company ;

An act to incorporate the Florence and Covington Street Railway Company ;

An act to incorporate the Louisville, Mt. Sterling and Norfolk Railroad Company ;

An act to authorize the building of turnpike roads in Kenton county, and to provide for the payment of the same ;

An act to incorporate the Bank of Allen county ;

An act to regulate municipal elections in the city of Owensboro ;

An act to incorporate the Falls of Rough Banking Company ;

An act to amend the charter of the Louisville Southern Railroad Company ;

An act to amend the charter of Brooksville ;

An act to incorporate the Fort Jefferson Street Railway Company ;

An act to incorporate the Burk's Branch and Chestnut Grove Turnpike, in Shelby county ;

An act to incorporate the Citizens' Bank of Winchester ;

An act to permit the booming of the tributaries of Licking river in the counties of Rowan, Morgan, Menefee and Magoffin ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Peterman moved that when the Senate adjourns for the day, that it be to meet on to-morrow, at 11 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

Mr. Peterman moved to reconsider the vote by which the Senate had adopted said motion.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Kemp, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	James H. Mulligan,	Phil Roberts,
F. W. Darby,	Chas. Patteson,	D. H. Smith,
J. B. Hannah,	J. J. Paul,	G. Terry,
J. H. Lunsford,	A. L. Peterman,	D. W. Wright—14.
D. L. May,	Chas. B. Poyntz,	

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	John McCann,
W. F. Berry,	William Goebel,	John P. Newman,
Ben F. Bradley,	R. G. Hays,	J. M. Pieratt,
B. F. Cockrell,	John K. Hendrick,	B. F. Reynolds,
Reuben Conner,	J. P. Huff,	J. H. Shearer,
W. W. Dickerson,	John R. Kemp,	A. H. Stewart,
Sam E. English,	J. W. Martin,	J. S. Wortham—23.
G. W. Gates,	J. W. McCain,	

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to further extend the time for sheriffs and ex-sheriffs to collect their outstanding and uncollected taxes and fee-bills.

(For bill see Senate Journal March 27, 1890.)

The question pending being on the adoption of the amendment heretofore proposed by Mr. Reynolds to said bill.

(For amendment, see Senate Journal, March 27, 1890.)

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Poyntz proposed the following amendment to said bill, viz :

Amend by exempting from the provisions of the bill the counties of Mason, Lewis, Madison, Estill and Rockcastle.

And the question being taken on the adoption of said amendment it was decided in the affirmative.

Mr. Breckinridge moved to amend said bill as follows, viz :

Amend by providing that the provisions of this act shall not apply or take effect in the counties of Boyle, Lincoln, Garrard, Casey, Jefferson, Campbell, Grant, Bracken, Pendleton, Hopkins, Christian, Gallatin, Boone, Owen, Hart, Green, Larue, Barren, Metcalfe and Monroe.

And the question being taken thereon, it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Darby moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, of the following title, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Darby moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Darby proposed an amendment as a substitute for said bill.

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, That a Special Legislative Appropriation Committee be raised, consisting of eight—three from the Senate and five from the House—to be appointed by the respective Speakers, whose duty it shall be to prepare a General Appropriation bill, with the privilege of reporting at any time.

That this resolution take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 13, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Geo. O. Hart, McCracken county.

W. L. Heath, Whitley county.

Henry Milam, Johnson county.

J. J. Nall, Lyon county.

John S. Osborn, Lawrence county.

Edward D. Paton, Bourbon county.

Harry Potter, Simpson county.

J. T. Slade, Fayette county.
Selden Y. Trimble, Logan county.
Thos. E. Wilson, Jefferson county.
S. B. Frazier, Woodford county.
John C. Loran, Jefferson county.
M. A. Walker, Jefferson county.
H. A. Willett, Jefferson county.
A. Pennington, Laurel county.

Very respectfully

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of Louis Seeger, of the city of Louisville, Kentucky.

Resolution to extend the present session of the General Assembly indefinitely.

An act to incorporate the Clay City Bank and Trust Company.

An act to incorporate Buford Lodge No. 494, Free and Accepted Masons, at Midway, Woodford county, Kentucky.

An act to incorporate the People's Bank of Winchester.

An act to incorporate the American German Bank, at Paducah.

An act to authorize the board of council of the town of Danville, to close up so much of Cemetery street as lies within the limits of the cemetery property.

An act to amend an act to incorporate the People's Bank of Owensboro.

An act to incorporate the Falls of Rough Water Company.

An act in relation to the management of trains where railways cross each other.

An act to amend an act, entitled "An act to incorporate the Paducah and Cairo Railroad Company," approved March 16, 1888.

An act to amend section 51 of the Civil Code of Practice.

An act to prohibit the sale of spirituous, vinous and malt liquors, and the mixtures thereof, within one mile of Bethany Church, at Holbrook, in Grant county. .

An act to incorporate the Winchester Water Company.

An act to incorporate the Campton and Hazel Green Turnpike Company.

An act to incorporate the Uniontown and Clarksville Railroad Company.

An act to amend an act to incorporate the Paducah Hotel Company.

An act to amend an act, entitled "An act to incorporate the Ashland Water Supply Company," approved April 3, 1890.

An act to incorporate the Silver Cliff Bank, of Kuttawa.

An act for the appointment of special reporters for the Fourth Judicial District, composed of the counties of Daveiss, McLean, Ohio, and Hancock, and for the preservation of evidence in certain counties.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act appropriating to the support of the Home for Friendless Women, located in Louisville, Kentucky, fifty per cent. of all fines recovered and collected of houses of ill-fame in said city.

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Lebanon and North and South Railroad Company,

Which was granted.

Whereupon the Speaker appointed Mr. Patteson said committee on the part of the Senate.

After a short time Mr. Patteson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Patteson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Patterson proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took for consideration the unfinished special order of Saturday, being a bill which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons, engaged in mining or manufacturing, in this State, to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale

of merchandise and supplies by employer to employe, and providing penalties for violation.

(For bill and amendments heretofore offered, see Senate Journal, Saturday, May 10.)

The question pending being on the adoption of the amendment heretofore offered by Mr. Lindsay to said bill.

By unanimous consent, Mr. Lindsay withdrew said amendment from the further consideration of the Senate.

Mr. Peterman proposed the following amendment to said bill, viz:

Amend by inserting after the word "contract," in the tenth line, and before the word "to," in the eleventh line of the first section, the words "unless freely and understandingly entered into."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and Kemp, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	William Lindsay,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	Phil. Roberts,
F. W. Darby,	D. L. May,	G. Terry,
G. W. Gates,	Chas. Patteson,	D. W. Wright—17.
R. G. Hays,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
B. F. Cockrell,	J. P. Huff,	John P. Newman,
Reuben Conner,	John R. Kemp,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—19.
William Goebel,		

Pending the further consideration of said bill and the pending amendments thereto, the hour of 12 o'clock M. having arrived, further action thereon was cut off by the joint order of the day.

At 12 o'clock M. the Speaker announced that the hour had arrived for the execution of the joint order of the day, the election of a Senator in the Congress of the United States to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of office would have expired on the 4th day of March, 1895.

The roll of the Senate was then called, and the following Senators responded to their names, viz :

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
W. F. Berry,	John K. Hendrick,	A. L. Peterman,
Ben F. Bradley,	J. P. Huff,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	Jas. H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	G. Terry,
T. L. Glenn,	John McCann,	J. S. Wortham,
William Goebel,	John P. Newman,	D. W. Wright—38.
R. G. Hays,	Chas. Patteson,	

The Speaker then announced that nominations for the office of United States Senator were in order.

Mr. Dickerson moved that the making of formal nominations for the office be dispensed with and that the Senate proceed at once to take the vote for a suitable person to fill said office.

And the question being taken thereon, it was decided in the affirmative.

The Speaker then announced that the clerk would now proceed to take the *viva voce* vote, which resulted as follows, viz :

	E. Polk Johnson . .	Silas Adams . . .	J. J. Paul . . .	Phil Roberts . . .	A. H. Stewart . .	Sam E. Hill . . .	G. W. Castle . . .	T. L. Glenn . . .	A. L. Peterman . .	Jno. W. Caldwell .	Jno. A. Marshall .	Bennett H. Young .	J. A. Grant . . .	T. A. Robertson .	F. W. Darby . . .	James D. Black . .	Jno. M. Atherton .	Lucius P. Little . .	D. W. Wright . . .	Jno. K. Hendrick .	J. W. Menzies . .	B. J. Peters . . .	W. H. Anderson . .	W. C. Owens . . .	James F. Clay . . .	R. J. Breckinridge
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Berry . . .		1																								
Bradley . . .			1																							
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Hannah . .																	1									
Hendrick . .																1										
Kemp . . .																				1						
Lindsay . . .																				1						
May . . .														1												
Mulligan . .													1													
McCain . . .																				1						
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Patteson . .												1														
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Pieratt . . .									1																	
Poyntz . . .										1																
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Smith . . .														1												
Terry . . .										1																
Wortham . .											1															
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Paul . . .																										
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Shearer . . .																									1	
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	2	1	1	1	1	1	1	1	1	1	2	1	1	1	2	1	1	1	1	1	5	4	1	1	1	1

The Speaker then announced that no one having received a majority of all the votes cast, the clerk will make such entry on the Journal.

Which was done.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Roberts—

1. A bill, entitled “An act to incorporate the Kentucky River Waterworks Company.

On motion of Mr. Smith—

2. A bill to incorporate the Bluegrass Club.

Ordered, That the Committee on Propositions and Grievances prepare and bring in the 1st, and the Committee on Executive Affairs, the 2d.

Mr. Breckinridge moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John K. Hendrick,	J. M. Pieratt,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
Ben F. Bradley,	J. H. Lunsford,	Phil Roberts,
R. J. Breckinridge,	D. L. May,	J. H. Shearer,
Reuben Conner,	Chas. Patteson,	D. H. Smith,
F. W. Darby,	J. J. Paul,	A. H. Stewart,
William Goebel,	A. L. Peterman,	D. W. Wright—22.
R. G. Hays,		

Those who voted in the negative, were—

B. F. Cockrell,	J. B. Hannah,	John McCann,
W. W. Dickerson,	J. P. Huff,	John P. Newman,
Sam E. English,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	Jas. H. Mulligan,	G. Terry,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—15.

And then the Senate adjourned.

WEDNESDAY, MAY 14, 1890.

The Lieutenant-Governor and Speaker of the Senate being absent, at his request Hon. D. H. Smith took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that that they had passed a bill, entitled

An act to amend article 4, chapter 12, of the General Statutes, title "Change of Venue in Criminal Cases."

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on General Statutes.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to authorize Sereptha Noel to be maintained at the Central or Western Lunatic Asylum without cost to her parents.

By Mr. Anderson, from the Committee on General Statutes—

An act authorizing the constable of the New Haven magisterial district, in Nelson county, to appoint a deputy in the New Hope precinct, in said district.

By Mr. Hannah, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act, entitled 'An act to establish a road law for Lawrence county.'"

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

By unanimous consent, Mr. Wright reported a bill, entitled

An act authorizing the constable of the Bowling Green magis-

terial district No. 1, in Warren county, to appoint a deputy in said district.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act authorizing the issuance of five hundred thousand dollars of municipal bonds of the city of Louisville,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent Mr. May reported a bill, entitled

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Standard Coal and Coke Company ;
An act to incorporate the Capital Contract Company ;
An act to incorporate the Home Deposit and Trust Company ;
An act to incorporate the Muhlenberg Oil, Gas, Mining Company ;

An act to amend an act to provide for a stock law in Jefferson and Oldham counties, approved April 15, 1882 ;

An act to incorporate the Booneville, Beattyville and St. Helen Turnpike Road Company ;

An act to create the office of county treasurer in Marshall county ;

An act to incorporate the Barbourville Water-works Company ;

An act for the benefit of common school districts Nos. 33 and 34 of Henderson county ;

• An act to incorporate Louisville Conduit and Subway Company ;

An act to amend an act, entitled "An act to incorporate the Williamsburg Institute," approved April 6, 1880 ;

An act to amend the charter of the town of West Covington ;

An act to amend the charter of the city of Paducah ;

An act to amend an act, entitled "An act to incorporate the Eldorado and Dugansville Turnpike Road Company ;"

An act to increase the jurisdiction of the magistrates to two hundred dollars in the county of Trigg ;

An act for the benefit of school district No. 7, Trigg county ;

An act to amend an act to incorporate the Citizens' Bank of Booneville, approved April 25, 1890 ;

An act to amend the charter of the South Covington and Cincinnati Street Railway Company ;

An act to authorize the consolidation of the Richmond Water-works Company and the Richmond Electric Light Company ;

An act to incorporate the Kentucky Real Estate and Loan Company ;

An act to incorporate the Loan and Investment Company of Irvine ;

And enrolled bills which originated in the Senate, of the following titles, viz:

An act to incorporate the Kentucky and Southeastern Railway Company ;

An act to incorporate the Barnes' Mill and Schooler Turnpike Company, in Madison county ;

An act to change and fix the time of holding courts in the 13th Judicial District ;

An act to amend an act to incorporate the St. Charles Coal Company, which said act became a law without the signature of the Governor, on the 12th of March, 1873, and is contained in chapter 402, Acts of the General Assembly of the Commonwealth of Kentucky, of 1873 ;

An act to incorporate the Princeton Belt Railway Company ;

An act to provide for the issue of county bonds for the erection of a new court-house in Montgomery county ;

An act to incorporate the city of Maysville, in Mason county ;

An act to incorporate the town of Highland Park, in Jefferson county ;

An act to incorporate the Grayson County Fair Company ;

An act amending the charter of the Louisville Stave and Lumber Company, a corporation organized under the general law ;

An act to amend an act, entitled "An act to authorize the city of Henderson to issue bonds, not to exceed in the aggregate the sum of four hundred and fifty thousand dollars in amount," approved April 7, 1890 ;

And had found the same correctly enrolled.

Said bills, having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Anderson, from the Committee on Privileges and Elections, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to prohibit the carrying of guns on election days within one mile of any voting place in Estill or Lee counties,

Reported the same without amendment.

Mr. Stewart proposed an amendment to said bill,
Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as follows :

An act to prohibit the carrying of guns on election days within one mile of any place in Estill, Lee, Floyd, Martin, Pike, Letcher, Knott, Perry, Leslie, Harlan and Clay counties.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Eminence Electric Light, Water and Ice Company.

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCain proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. May moved to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of Elizabethtown.

Which motion was simply entered.

Mr. Cockrell withdrew the motion heretofore made by him, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Lancaster, McKee and Middlesborough Railroad,

Together with an amendment thereto, adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Commerce Insurance Company, of Mt. Sterling, Kentucky.

An act to incorporate the Springfield and Cartwright's Creek Turnpike Road Company, in Washington county, Kentucky.

An act to incorporate the Kentucky Netherlands Trust Company.

An act to incorporate the Elkhorn and Big Sandy River Bridge Company.

An act appointing commissioners to select, locate and designate a place whereon to build the court-house, clerk's offices, and jail, of Magoffin county, in the corporate limits of the town Salyersville.

An act to incorporate banking house of Wilson and Muir.

An act to incorporate Pleasant J. Potter College.

An act to amend the charter of the Louisville Southern Railroad Company.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 14, 1890. }

Gentlemen of the Senate :

I respectfully return, without my approval, a bill, entitled "An act for the benefit of Hiram Crabtree, of Wayne county."

The preamble of the bill recites that the beneficiary, having been convicted of felony, and having served a term of three years in the penitentiary, is still deprived of the right of suffrage under the continuing sentence of the court. This bill, therefore, proposes to pardon this disability by legislative enactment, and to restore to Hiram Crabtree the right of suffrage.

The unconstitutionality of an act of this character has been so often sustained by the Senate that it is deemed necessary only to invite their attention to this bill to insure a reconsideration.

Very respectfully

S. B. BUCKNER.

Said vetoed bill reads as follows, viz :

WHEREAS, Hiram Crabtree, of Wayne county, Kentucky, was convicted of felony in said county in the year 1885 for the period of three years, he having served his time and then returned to Wayne county, and has lived there ever since, a good, industrious, law-abiding and tax-paying citizen, and has been denied the right of suffrage; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the said Hiram Crabtree be, and he is hereby, restored to the right and privilege of voting, and all the disabilities by reason of said incarceration are hereby removed.

§ 2. This act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the negative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

J. B. Hannah,	James H. Mulligan,	Chas. Patteson,
J. P. Huff,	John P. Newman,	J. H. Shearer—7.
J. W. Martin,		

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English,	John McCann,
W. F. Berry.	G. W. Gates,	A. L. Peterman,
Ben F. Bradley,	T. L. Glenn,	J. M. Pieratt,
R. J. Breckinridge,	William Goebel,	D. H. Smith,
B. F. Cockrell,	John R. Kemp,	J. S. Wortham,
Reuben Conner,	J. H. Lunsford,	D. W. Wright—18.

So said bill was rejected.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Martin—

An act for the benefit of Vina Smith, pauper idiot of Butler county.

Which was referred to the Committee on Claims.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Hamilton Ormsby and other persons, in Jefferson county.

(For bill, see Senate Journal of April 19, 1890.)

Mr. Glenn moved that the further consideration of said bill and pending amendments be postponed and that it be made the special order of the day, for Thursday, May 22, 1890, at 11 o'clock A. M., and from day to day until disposed of.

And the question being taken thereon, it was decided in the negative.

Mr. Wortham moved that said bill and pending amendments be postponed, and that it be made a special order of the day for Friday, May 14, 1890, at 11 o'clock A. M., and from day to day, until disposed of.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wortham and Martin, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	J. M. Pieratt,	J. S. Wortham—7.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	Chas. Patteson,
R. J. Breckinridge,	J. H. Lunsford,	A. L. Peterman,
B. F. Cockrell,	D. L. May,	D. H. Smith,
Sam E. English,	James H. Mulligan,	G. Terry,
G. W. Gates,	J. W. McCain,	D. W. Wright—20.
William Goebel,	John McCann,	

The question was then taken on the adoption of the second amendment proposed by Mr. Dickerson to said bill, and it was decided in the negative.

(For amendment, see Senate Journal, April 19, 1890.)

The question was then taken on the adoption of the third amendment proposed by Mr. Dickerson to said bill, and it was decided in the negative.

(For amendment, see Senate Journal April 19, 1890.)

By unanimous consent, Mr. Berry withdrew the amendment heretofore proposed by him to said bill.

Pending the further consideration of said bill, the hour of 12 o'clock M. having arrived, further action thereon was cut off by the joint order of the day.

A message was received from the House of Representatives by Messrs. Cooper, Hensley and Roberts, announcing that they were now ready to execute the joint order of the day, the election of a Senator in the Congress of the United States.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives for the purpose of ascertaining the votes cast in each House of the General Assembly on yesterday for those who had been voted for in the respective Houses for the office of Senator in the Congress of the United States to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of office would have expired on the 4th of March, 1895.

The Speaker of the Senate took the Chair, and called the Joint Assembly to order.

The Journals of the Senate and House of Representatives of the preceding day were then read and adopted in Joint Assembly.

And it appearing therefrom that in execution of the laws aforesaid, and of the joint order to go into the election of a Senator from the State of Kentucky in the Congress of the United States to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of service would have expired on the 4th of March, 1895, the following votes were cast, viz:

In the Senate the vote stood:

For Hon. R. J. Breckinridge.....	2 votes
For Hon. James F. Clay.....	1 vote
For Hon. W. C. Owens.....	1 vote
For Hon. W. H. Anderson.....	1 vote
For Hon. J. W. Menzies.....	5 votes
For Hon. B. J. Peters.....	1 vote
For Hon. John K. Hendricks.....	4 votes
For Hon. D. W. Wright.....	1 vote
For Hon. Lucius P. Little.....	1 vote
For Hon. John M. Atherton.....	1 vote
For Hon. James D. Black.....	1 vote
For Hon. F. W. Darley.....	1 vote
For Hon. T. A. Robertson.....	2 votes
For Hon. J. A. Grant.....	1 vote
For Hon. Bennett H. Young.....	1 vote
For Hon. John A. Marshall.....	1 vote
For Hon. John W. Caldwell.....	2 votes
For Hon. A. L. Peterman.....	1 vote
For Hon. T. L. Glenn.....	1 vote
For Hon. G. W. Castle.....	1 vote
For Hon. Sam E. Hill.....	1 vote
For Hon. A. H. Stewart.....	1 vote
For Hon. Phil Roberts.....	2 votes
For Hon. J. J. Paul.....	1 vote
For Hon. Silas Adams.....	2 votes
For Hon. E. Polk Johnson.....	1 vote
Total.....	38 votes

In the House of Representatives the vote stood :

For Hon. Silas Adams.....	10 votes
For Hon. E. E. Settle	15 votes
For Hon. John G. Carlisle.....	7 votes
For Mr. Penick.....	1 vote
For Hon. John W. Caldwell.....	2 votes
For Hon. I. A. Spalding.....	3 votes
For Hon. T. F. Marshall	6 votes
For Hon. H. D. McHenry	3 votes
For Hon. Harvey Myers.....	3 votes
For Hon. G. H. Gardner	1 vote
For Hon. R. H. Tomlinson	3 votes
For Hon. James H. Rudy	1 vote
For Hon. John K. Hendrick.....	6 votes
For Hon. J. W. Croan	4 votes
For Hon. W. T. Cox	4 votes
For Hon. Thomas Turner.....	1 vote
For Hon. John W. Lindsay	3 votes
For Hon. John W. Rowlett.....	1 vote
For Hon. F. B. Brown	6 votes
For Hon. W. P. Thorne.....	1 vote
For Hon. John E. Cooper.....	1 vote
For Hon. W. C. Owens.....	1 vote
For Hon. A. G. Caruth.....	1 vote
For Hon. Arthur Wallace	1 vote
For Hon. J. W. Ferguson	1 vote
For Hon. W. S. Pryor	1 vote
For Hon. James B. McCreary.....	1 vote
For Hon. J. A. Craft	1 vote
For Hon. Thomas E. Moss	1 vote
For Hon John W. Menzies	1 vote
Total	91 votes

The joint vote stood :

For Hon R. J. Breckinridge.....	2 votes
For Hon. James F. Clay.....	1 vote
For Hon. W. C. Owens.....	2 votes
For Hon. W. H. Anderson.....	1 vote

For Hon. B. J. Peters.....	1 vote
For Hon. John W. Menzies.....	6 votes
For Hon. John K. Hendrick	10 votes
For Hon. D. W. Wright.....	1 vote
For Hon. Lucius P. Little.....	1 vote
For Hon. John M. Atherton.....	1 vote
For Hon. James D. Black.....	1 vote
For Hon. F. W. Darby	1 vote
For Hon. T. A. Robertson.....	2 votes
For Hon. J. A. Grant.....	1 vote
For Hon. Bennett H. Young.....	1 vote
For Hon. John A. Marshall.....	1 vote
For Hon. John W. Caldwell.....	4 votes
For Hon. A. L. Peterman.....	1 vote
For Hon. T. L. Glenn.....	1 vote
For Hon. G. W. Castle.....	1 vote
For Hon. Sam E. Hill.....	1 vote
For Hon. A. H. Stewart.....	1 vote
For Hon. Phil Roberts.....	2 votes
For Hon. J. J. Paul.....	1 vote
For Hon. Silas Adams.....	12 votes
For Hon. E. Polk Johnson.....	1 vote
For Hon. E. E. Settle.....	15 votes
For Hon. John G. Carlisle.....	7 votes
For Rev. Mr. Penick.....	1 vote
For Hon. I. A. Spalding.....	3 votes
For Hon. T. F. Marshall.....	6 votes
For Hon. H. D. McHenry.....	3 votes
For Hon. Harvey Myers.....	3 votes
For Hon. G. H. Gardner.....	1 vote
For Hon. R. H. Tomlinson.....	3 votes
For Hon. James H. Rudy.....	1 vote
For Hon. J. W. Croan.....	4 votes
For Hon. W. T. Cox.....	4 votes
For Hon. Thomas Turner.....	1 vote
For Hon. John W. Lindsay.....	3 votes
For Hon. John W. Rowlett.....	1 vote
For Hon. F. B. Brown.....	6 votes
For Hon. W. P. Thorne.....	1 vote

For Hon. John E. Cooper.....	1 vote
For Hon. A. G. Caruth.....	1 vote
For Hon. Arthur Wallace.....	1 vote
For Hon. J. W. Ferguson.....	1 vote
For Hon. W. S. Pryor.....	1 vote
For Hon James B. McCreary.....	1 vote
For Hon. J. A. Craft.....	1 vote
For Hon. Thomas E. Moss.....	1 vote

Total..... 129

Necessary to a choice 65.

And it appearing from an inspection of the journals that no person had received a majority of all the votes cast, and a majority of all the members elected to each House of the General Assembly, it was thereupon announced by the Speaker of the Senate, presiding officer of the joint session, that no person was elected to serve as Senator aforesaid.

The roll of the two Houses was then called, and the following Senators and Representatives responded to the call, viz :

W. H. Anderson,	Scott Brown,	Wm. M. Moore,
W. F. Berry,	F. B. Brown,	Reuben Morris,
Ben F. Bradley,	W. O. Blackerby,	Thomas Murray,
R. J. Breckinridge,	I. S. Bow,	W. S. McClanahan,
B. F. Cockrell,	J. L. Bruce,	W. C. McChord,
Reuben Conner,	E. R. Burns,	John T. McClure,
W. W. Dickerson,	J. H. Coffey,	J. H. McDanell,
Sam E. English,	Hugh P. Cooper,	J. J. Nall,
G. W. Gates,	W. H. Counts,	G. W. Norman,
T. L. Glenn,	Wm. T. Cox,	W. R. Palin,
Wm. Goebel,	John G. Creech,	O. T. Petty,
R. G. Hays,	J. W. Croan,	Matthew Rebholz,
J. B. Hannah,	R. H. Crossfield,	D. B. Redwine,
J. P. Huff,	P. B. Davis,	Gus. W. Richardson,
John R. Kemp,	John C. Draddy,	N. B. Riley,
J. H. Lunsford,	Eli Farmer,	R. E. Roberts,
J. W. Martin,	John M. Frazee,	John W. Rowlett,
D. L. May,	G. H. Gardner,	Jas. H. Rudy,
James H. Mulligan,	T. T. Gardner,	John Ryan,
J. W. McCain,	Wm. Garrison,	E. E. Settle,
John McCann,	James P. Gay,	Waller Sharp,
John P. Newman,	E. J. Green,	S. H. Shouse,
Chas. Patteson,	Ed E. Hardin,	W. M. Smith,
J. J. Paul,	R. C. Hill,	W. W. Stephenson,

A. L. Peterman,	W. H. Hays,	G. W. Terrell,
Ben F. Reynolds,	B. B. Hensley,	Alvis B. Tichenor,
J. H. Shearer,	Jas. A. Hindman,	Claude M. Thomas,
D. H. Smith,	S. L. Holland,	W. P. Thorne,
J. S. Wortham,	Daniel James,	R. H. Tomlinson,
D. W. Wright,	Joseph Jenkins,	R. S. Triplett,
Mr. Speaker (Myers),	Tice Jolly,	M. D. Vanhooose,
Wm. H. Able,	Henry Kremer,	B. R. Walker,
Silas Adams,	John W. Langley,	R. C. Warren,
John Bartman,	John M. Letterle,	Myer Weil,
W. S. Bailey,	J. J. Long,	Chas. B. Wickliffe,
W. J. Bale,	Henry Mason,	John W. Williams,
R. N. Beauchamp,	R. S. May,	J. Watt Womack,
E. D. Briscoe,	Isaac Middleton,	Wm. Wharton—114.

The Speaker then announced that the Joint Assembly would proceed, in conformity with the law, to take a ballot for Senator in Congress to fill the aforesaid vacancy, which vote being taken *viva voce* resulted as follows, viz :

In the Senate the vote stood—

Those voting for R. J. Breckinridge were—

W. H. Anderson,	J. H. Lunsford,	D. W. Wright—4.
Ben F. Bradley,		

For B. F. Bradley—

W. F. Berry,	John R. Kemp,	J. S. Wortham—5.
Reuben Conner,	J. P. Huff,	

For D. W. Wright—

R. J. Breckinridge—1.

For John E. Cooper—

B. F. Cockrell,	J. B. Hannah,	J. M. Pieratt—3.
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For F. B. Brown—

W. W. Dickerson—1.

For S. L. Garr—

Sam E. English—1.

For W. B. Noe—

G. W. Gates—1.

For Charles B. Poyntz—

T. L. Glenn—1.

	For B. R. Walker—	
Wm. Goebel—1.		
	For Charles D. Jacob—	
R. G. Hays—1.		
	For D. H. Smith—	
D. L. May—1.		
	For Sam. E. English—	
Jas. H. Mulligan,	J. W. McCain,	John P. Newman—3.
	For E. D. Briscoe—	
John McCann—1.		
	For John P. Newman—	
Charles Patteson—1.		
	For Thomas F. Hargis—	
A. L. Peterman—1.		
	For J. Q. Ward—	
B. F. Reynolds—1.		
	For D. L. May—	
D. H. Smith—1.		
	For H. J. Stites—	
G. Terry—1.		
	For Silas Adams—	
J. J. Paul—1.		
	For J. H. Lunsford—	
A. H. Stewart—1.		
	For John W. Langley—	
J. W. Martin—1.		
	For J. J. Paul—	
J. H. Shearer—1.		

In House of Representatives, those voting were :

	For John G. Carlisle—	
Wm. H. Able,	Ed E. Hardin,	G. W. Terrell—4.
John M. Letterle,		
	For W. H. Clark—	
Silas Adams—1.		
	For Ben. Lee Hardin—	
John Ryan,	Henry Mason,	W. W. Stephenson,
John Bartman,	Henry Kremer,	R. S. May—8.
W. R. Palin,	W. M. Smith,	

- For John S. Gaunt—
W. S. Bailey—1.
For John W. Rowlett—
W. J. Bale—1.
For Ben. T. Perkins—
R. N. Beauchamp, N. B. Riley—2.
For N. B. Riley—
E. D. Briscoe—1.
For F. B. Brown—
Scott Brown—1.
For R. E. Roberts—
F. B. Brown—1.
For E. L. Worthington—
W. O. Blackerby, John M. Frazee—2.
For Silas Adams—
I. S. Bow, W. H. Clark, Eli Farmer—3.
For Arthur Ford—
J. L. Bruce—1.
For S. C. Bascomb—
E. R. Burns, Waller Sharp—2.
For John W. Langley—
J. H. Coffey, Thomas Murray—2.
For E. D. Walker—
Hugh P. Cooper, Alvis B. Tichenor—2.
For John E. Cooper—
W. H. Counts, M. D. Vanhooose, J. Watt Womack—5.
D. B. Redwine, John W. Williams.
For Claude M. Thomas—
Wm. T. Cox, W. C. McChord—2.
For Reuben Morris—
John G. Creech—1.

For Isaac Middleton—

J. W. Croan,

W. H. Hays—2.

For G. H. Gardner—

R. H. Crossfield—1.

For E. E. Settle—

P. B. Davis—1.

For W. J. Vonmildeninerhand—

John C. Draddy—1.

For J. S. Wortham—

G. H. Gardner—1.

For W. J. Stone—

T. T. Gardner,

J. J. Nall,

Wm. Wharton—3.

For James A. Hindman—

Wm. Garrison—1.

For Thomas G. Stuart—

James P. Gay—1.

For John W. Menzies—

E. J. Green—1.

For James B. McCreary—

R. C. Hill—1.

For S. Coleston—

B. B. Hensley—1.

For J. H. Rudy—

Jas. A. Hindman—1.

For John K. Hendrick—

S. L. Holland—1.

For W. C. Owens—

Daniel James,

R. E. Roberts—2.

For John W. Lockett—

Joseph Jenkins,

G. W. Norman—2.

For J. Watt Womack—

Tice Jolly—1.

For R. C. Hill—

John W. Langley—1.

For R. J. Breckinridge—

J. J. Long, R. H. Tomlinson, R. C. Warren—3.

For W. H. Hays—

Isaac Middleton—1.

For J. Q. Ward—

Wm. M. Moore—1.

For John G. Creech—

Reuben Morris—1.

For Wm. T. Cox—

W. S. McClanahan, Claude M. Thomas—2.

For E. D. Briscoe—

John T. McClure—1.

For W. S. Bailey—

J. H. McDanell—1.

For John B. Otten—

Matthew Rebholz—1.

For John M. Atherton—

O. T. Petty—1.

For J. Proctor Knott—

Gus. W. Richardson—1.

For James Garnett—

John W. Rowlett—1.

For B. F. Bradley—

Jas. H. Rudy—1.

For Smith Cook—

E. E. Settle—1.

For D. L. Thornton—

S. H. Shouse—1.

For D. B. Redwine—

W. B. Smith—1.

For Robert Tyler—

W. P. Thorne—1.

For J. H. Mulligan—

Harvey Myers,

R. S. Triplett—2.

For Wm. Goebel—

B. R. Walker—1.

For Charles Read—

Myer Weil—1.

For James B. Garnett—

Chas. B. Wickliffe—1.

In summing up the vote of the Joint Assembly, it was found to stand thus :

For Hon. R. J. Breckinridge	7 votes
For Hon. B. F. Bradley	6 votes
For Hon. D. W. Wright	1 vote
For Hon. John E. Cooper	8 votes
For Hon. F. B. Brown	2 votes
For Hon. S. L. Garr	1 vote
For Hon. W. B. Noe	1 vote
For Hon. Charles B. Poyntz	1 vote
For Hon. B. R. Walker	1 vote
For Hon. Charles D. Jacobs	1 vote
For Hon. D. H. Smith	1 vote
For Hon. Sam E. English	3 votes
For Hon. E. D. Briscoe	2 votes
For Hon. John P. Newman	1 vote
For Hon. Thomas F. Hargis	1 vote
For Hon. J. Q. Ward	2 votes
For Hon. D. L. May	1 vote
For Hon. H. J. Stites	1 vote
For Hon. Silas Adams	4 votes
For Hon. J. H. Lunsford	1 vote
For Hon. John W. Langley	3 votes
For Hon. J. J. Paul	1 vote
For Hon. John G. Carlisle	4 votes
For Hon. W. H. Clark	1 vote
For Hon. Ben Lee Hardin	8 votes
For Hon. John S. Gaunt	1 vote

For Hon. John W. Rowlett.....	1 vote
For Hon. Ben T. Perkins.....	2 votes
For Hon. N. B. Riley	1 vote
For Hon. R. E. Roberts	1 vote
For Hon. E. L. Worthington	2 votes
For Hon. Arthur Ford	1 vote
For Hon. Clark Bascom	2 votes
For Hon. E. D. Walker	2 votes
For Hon. Claude M. Thomas.....	2 votes
For Hon. Reuben Morris	1 vote
For Hon. Isaac Middleton	2 votes
For Hon. G. H. Gardner.....	1 vote
For Hon. Evan Settle.....	1 vote
For Hon. W. J. Vonmildeninerhand	1 vote
For Hon. J. S. Wortham	1 vote
For Hon. W. J. Stone.....	3 votes
For Hon. James A. Hindman	1 vote
For Hon. Thomas G. Stuart.....	1 vote
For Hon. John W. Menzies.....	1 vote
For Hon. James B. McCreary.....	1 vote
For Hon. S. Colston.....	1 vote
For Hon. J. H. Rudy.....	1 vote
For Hon. J. K. Hendrick	1 vote
For Hon. W. C. Owens.....	2 votes
For Hon. John W. Lockett.....	2 votes
For Hon. J. Watt. Womack	1 vote
For Hon. R. C. Hill.....	1 vote
For Hon. W. H. Hays.....	1 vote
For Hon. John G. Greech.....	1 vote
For Hon. W. T. Cox	2 votes
For Hon. W. S. Bailey.....	1 vote
For Hon. John B. Otten.....	1 vote
For Hon. John M. Atherton	1 vote
For Hon. J. P. Knott.....	1 vote
For Hon. James Garnett.....	1 vote
For Hon. Smith Cook	1 vote
For Hon. D. L. Thornton.....	1 vote
For Hon. D. B. Redwine	1 vote
For Hon. Robert Tyler	1 vote

For Hon. James H. Mulligan	2 votes
For Hon. William Goebel	1 vote
For Hon. Charles Reed	1 vote
For Hon. James B. Garnett	1 vote
Total	119 votes

Necessary to a choice, 60 votes.

No one in nomination having received a majority of all the votes and of all the members elected to each House of the General Assembly, the Speaker of the Senate, presiding officer of the joint session, announced that the Joint Assembly would now proceed to take a second joint ballot in further execution of the law and for the purpose aforesaid.

Mr. Rudy moved that the Joint Assembly be now dissolved, to meet again on to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

And then the Joint Assembly dissolved.

The Senators then repaired to the Senate Chamber, the Speaker of the Senate resumed the Chair, and called the Senate to order.

On motion of Mr. Newman, the Senate then adjourned.

THURSDAY, MAY 15, 1890.

The Lieutenant-Governor and regular speaker of the Senate, Hon. J. W. Bryan, being absent, at his request Hon. D. H. Smith took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Ashland Real Estate and Loan Company.

An act for the benefit of W. F. Beard Lodge No. 583, F. A. M., and Franklin Grove Lodge No. 261, I. O. O. F., in Franklin county.

An act to extend the boundary line of Beattyville, etc.

An act to amend an act, entitled "An act to incorporate the Charleston, Kentucky and Western Railway Company," approved May 15, 1886,

With an amendment to the last-named bill,

Which was taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Capital Railway Company.
2. An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto.
3. An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins' Turnpike Road Company, in Bourbon county," approved April 4, 1884.
4. An act to create and establish district No. 13, known as Sedalia, in Graves county.
5. An act to amend section 8, article 9 of the common school law.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Railroads; the 2d and 3d to the Committee on Agriculture and Manufactures; the 4th to the Committee on Library, Public Buildings and Offices,

And the 5th named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills which originated in the House of Representatives of the following titles were reported from the several committees to which they were referred, viz :

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act amending the act to incorporate the town of Pleasureville, in Henry county, approved April 2, 1890.

By same—

An act to charter the Carrollton Electric Light and Power Company.

By same—

An act to authorize the people in Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts.

By Mr. Lindsay, from the Committee on the Judiciary—

An act for the benefit of Sibbern Phelps, a minor under twenty years of age.

By Mr. McCann, from the Committee on Courts of Justice—

An act to incorporate trustees of St. Paul's English Evangelical Church.

By Mr. Huff, from the Committee on Public Health—

An act to incorporate the Republican State League of Kentucky.

By same—

An act to prevent cattle from running at large in Flemingsburg magisterial district, Fleming county.

By Mr. Newman, from the Committee on Immigration and Labor—

An act to provide for the construction of a levee along the water front of the city of Newport.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to change and define the boundary line of justice's district No. 3, known as Sharp's, in Mercer county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to further amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county," approved March 9, 1888.

By same—

An act to incorporate the Stony Run and Doylesville Turnpike Road Company, in Madison county.

By Mr. Gates, from the Committee on Courts of Justice—

An act to repeal chapter 1009, Session Acts of 1887 and 1888,

entitled "An act for the benefit of certain persons in the county of Daveiss.

By Mr. McCain, from the Committee on Public Expenitures—

An act to further amend an act incorporating the town of Sulphur, in Henry county.

By same—

An act to amend an act, to amend an act incorporating the town of Eminence, approved April 2, 1890.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Hartford College.

By same—

An act to amend an act, entitled "An act to incorporate the Flemingsburg Graded High School, approved 29th day of April, 1890.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to incorporate the Colored Cemetery Company of North Middletown, in Bourbon county.

By same—

An act to amend an act, entitled "An act to incorporate the Paris Street Railway Company."

By Mr. Bradley, from the Committee on Railroads—

An act to authorize the Kentucky Central Railway Company to enter into contracts for purchase, sale or consolidation with companies of this or other States.

By same—

An act to amend an act, entitled "An act to incorporate the Leitchfield, Big Spring and Northern Railroad," approved April, 1890.

By Mr. Darby, from the Committee on Codes of Practice—

An act creating a voting place, at Blackford, in Webster county.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to incorporate the Citizens' Bank of Ashland, Kentucky.

By Mr. Hannah, from the Committee on Courts of Justice—

An act to incorporate the Greenup County Fair Association.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to increase the capital stock of the Bank of Ashland

By Mr. Paul, from the Committee on Codes of Practice—

An act to amend an act authorizing the town board of London, Kentucky, to issue bonds to macadamize and provide street lamps for the streets of said town.

By Mr. Bradley, from the Committee on Railroads—

An act to amend the charter of the Barbourville Street Railway Company.

By same—

An act to incorporate the Beattyville Street Transit Company.

By same—

An act incorporating a street railway company in London, Kentucky.

By Mr. Gates, from the Committee on Internal Improvements—

An act to incorporate the Deane-Field Coal Mining and Coke Company.

By Mr. English, from the Committee on Internal Improvements—

An act to amend chapter 1144, session acts 1887 and 1888.

By Mr. Lunsford, from the Committee on Railroads—

An act to incorporate the Fordsville, Hartford and Southwestern Railroad Company.

By Mr. McCain, from the Committee on Public Expenditures—

An act to incorporate the Constitutionalist Printing and Publishing Company.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act in relation to the sale of the Danville Gas Light Company's franchises to the town of Danville.

With amendments to the four last-named bills,

Which were adopted.

Ordered, That said bills, the four last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees, to which they were referred, viz :

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act to incorporate the Kentucky River Water Works Company.

By Mr. Berry, from the Committee on Federal Relations—

An act to incorporate the Excelsior Gas Company.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of Vina Smith, pauper idiot of Butler county.

By Mr. Smith, from the Committee on Executive Affairs—

An act to incorporate the Blue Grass Club.

By Mr. Wortham, from the Committee on General Statutes—

An act to amend the charter of the town of Taylorsville.

By Mr. McCann, from the Committee on Courts of Justice—

An act to amend the charter of the Louisville Cement Company.

By Mr. Glenn, from the Committee on Agriculture and Manufactures—

An act to incorporate the Wilson Chemical and Manufacturing Company.

By Mr. Wortham, from the Committee on General Statutes—

An act to authorize the court of claims of Shelby county to levy an ad valorem tax.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Pieratt, from the Committee on Religion and Morals, to whom was referred a bill, which originated in the Senate, entitled

An act to prohibit the manufacture or sale of spirituous, vinous or malt liquors within two miles of the Baptist Church, at Hickory Grove, Graves county, Kentucky.

Together with an amendment thereto adopted by the House of Representatives.

Reported the same with the expression of opinion that said amendment ought to be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration the motion heretofore made by Mr. Roberts to reconsider the vote by which the Senate had disagreed to a bill, which originated in the House of Representatives, entitled

An act for the benefit of W. M. Howard, of Laurel county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration the motion heretofore made by Mr. Mulligan to reconsider the vote by which the Senate had passed, with an amendment thereto, a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to establish the Lexington Police and Fire District in Fayette county, and to provide for the government thereof," approved February 27, 1886.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said as also the vote ordering it to a third reading were then reconsidered.

Mr. Mulligan moved to reconsider the vote by which the Senate had adopted an amendment to said bill.

And the question being taken thereon, it was decided in the affirmative.

By unanimous consent, Mr. Mulligan withdrew said amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor, by Hon. E. Porter Thompson, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate The Bank of Allen County.

An act to regulate municipal elections in the city of Owensboro.

An act to authorize the building of turnpike roads in Kenton county, and to provide for the payment of the same.

An act to incorporate The Falls of Rough Banking Company.

An act to incorporate the Citizen's Bank, of Winchester.

An act to incorporate the Cincinnati and Kentucky Southern Railroad Company.

An act to incorporate the Florence and Covington Street Railway Company.

An act to incorporate the Fort Jefferson Street Railway Company.

An act to incorporate the Burk's Branch and Chestnut Grove Turnpike Company, in Shelby county.

Mr. Wortham, from the Committee on Chitable Institutions, to whom was referred the nominations by the Governor of E. M. Flack, to be member of the Board of Commissioners of the Western Kentucky Lunatic Asylum, for the period of four years from the 25th day of April, 1890 ; Dr. Silas Evans, to be Second Assistant Physician of the Eastern Kentucky Lunatic Asylum until May 12, 1892 ; T. Logan Hocker, to be Steward of the Eastern Kentucky Lunatic Asylum until May 12, 1892 ; Dr. B. W. Stone to be Superintendent of the Western Kentucky Lunatic Asylum until April 13, 1893 ; Joe Buckner, to be Steward of the Western Kentucky Lunatic Asylum until April 13, 1893, and Hunter Wood to be a member of the Board of Commissioners of the Western Kentucky Lunatic Asylum.

Reported the same, with the expression of opinion that said nominations ought to be advised and consented to.

And the question being taken thereon, it was decided in the affirmative.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Ekron Male and Female College, of Meade county, Kentucky;

An act to provide for the repairing and keeping in repair the public roads of Rockcastle county;

An act to reduce into one all acts in reference to the town of Pewee Valley, and to clearly define the boundary of said town;

An act to incorporate the West Point & Louisville Railroad Company;

An act to charter Douglass Academy;

An act to amend an act, entitled "An act to incorporate the Bell Grove Springs and Blue Bank Turnpike Road, in Fleming county," approved February 27, 1865;

An act to incorporate the C. T. Rice, Cemetery Company, near Union, Boone county;

An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884;

An act to amend an act to incorporate the Bond Mill and Chase Lick Turnpike Road Company, in Anderson county;

An act to amend the charter of the Fidelity Trust and Safety Vault Company;

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company;

An act to incorporate the People's Bank of Mt. Washington;

An act to incorporate the Flat Creek and Bald Eagle Turnpike Road Company, in Bath county;

An act to further regulate municipal elections in the city of Covington;

An act to provide for the construction of a public highway in Kenton county, Kentucky, by the cities of Covington and Ludlow and the town of West Covington, at the cost of said municipalities;

An act to amend the charter of the village of Cote Brilliante, in Campbell county;

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876;

An act to enable the county court of Madison county to have free turnpikes in Madison county;

An act authorizing the First Christian Church of Paducah, Kentucky, to issue bonds for the purpose of erecting a house of worship and to mortgage its property to secure said bonds ;

An act to prevent stock from running at large in the vicinity of, or trespassing on, the German Roman Catholic Mother of God Cemetery, in Kenton county ;

An act to amend an act incorporating "The New Farmers' Bank" of Mt. Sterling, Kentucky, and granting it power to change its name, and granting it the powers and privileges of the "Three States Banking and Trust Company," of Middlesborough, Kentucky ;

An act to change the line between common school districts Nos. 14 and 70, in Breckinridge county ;

An act to amend an act, entitled "An act to incorporate the Edison Electric Illuminating, Heating and Power Company," approved April 9, 1890 ;

An act to authorize the board of trustees of the Owensboro Female College Company to confer collegiate degrees ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act extending and enlarging the boundary of common school district No. 17 (white), Madison county ;

An act to incorporate the city of Flemingsburg ;

An act for the benefit of W. G. Goodwin and wife ;

An act for the benefit of Hezekiah Ellis ;

An act to further amend and regulate the municipal affairs of the town of Shelbyville ;

An act to permit the Warren County Court to change or modify the terms and conditions upon which Warren county agreed to subscribe to the capital stock of the Bowling Green and Northern Railroad Company ;

An act incorporating the Henderson Fair Association ;

An act for the protection of the Mammoth Cave and the Mammoth Cave estate, in Edmonson county ;

An act to amend the charter of the city of Louisville, and directory to the board of commissioners of public charities of said city ;

An act to incorporate the Central City Mineral Railroad Company ;

An act to incorporate the Hodgenville and Glasgow Railroad Company ;

An act to incorporate the Southern Railway News Company ;

An act to incorporate the city of Fort Jefferson ;

An act to amend an act, entitled "An act to create a common pleas court in the counties of Bourbon, Clark, Madison, Bath and Montgomery ;

An act to amend an act, entitled "An act to incorporate the Charleston, Kentucky and Western Railway Company," approved May 15, 1886 ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Breckinridge, from the special committee appointed to investigate the condition of Harlan and Perry counties, to whom was referred leave to bring in a bill, entitled

An act to establish a court for the trial of criminal and penal causes in counties of Harlan, Perry, Knott and other counties, and to suppress lawlessness in said counties,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Breckinridge—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Tuesday, May 20, 1890, at 10:30 o'clock A. M., and that said bill shall have precedence of all other business for said day and hour, and be considered from day to day until disposed of.

Mr. Huff, from the Committee on Public Health, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to establish a State Board of Pharmacy, defining its duties and powers, and to reg-

ulate the practice of pharmacy in the Commonwealth of Kentucky," approved March 13, 1888,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Terry, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of certain officers and agents in Lewis county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company.

Which was granted.

Whereupon the Speaker appointed Mr. Stewart said committee on the part of the Senate.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Louisa and Southeastern Railroad Company.

Which was granted.

Whereupon the Speaker appointed Mr. Hannah said committee on the part of the Senate.

After a short time Mr. Hannah, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Hannah moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Hannah proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Kentucky and Missouri Bridge Company.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandise and supplies by employer to employe, and providing penalties for violation.

(For bill see Senate Journal May 10, 1890.)

The question pending being on the adoption of the amendments heretofore proposed by Mr. Breckinridge to said bill.

(For amendments, see Senate Journal May 10, 1890.)

Mr. Breckinridge proposed the following additional amendments to said bill, viz:

3. Amend by striking out 2d and 3d sections.
4. Amend by striking out 2d section.
5. Amend by striking out the 4th section.

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Berry, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	John McCann,
W. W. Dickerson,	John R. Kemp,	John P. Newman,
Sam E. English,	William Lindsay,	Charles B. Poyntz,
G. W. Gates,	J. W. Martin,	J. H. Shearer,
T. L. Glenn,	Jas. H. Mulligan,	J. S. Wortham—17.
J. B. Hannah,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	D. L. May,	B. F. Reynolds,
Ben F. Bradley,	Chas. Patteson,	Phil Roberts,
R. J. Breckinridge,	J. J. Paul,	G. Terry,
Reuben Conner,	A. L. Peterman,	D. W. Wright—14.
J. H. Lunsford,	J. M. Pieratt,	

Mr. Mulligan moved that the session of the Senate on this day be extended until the bill under consideration should be disposed of.

Mr. Breckinridge moved to lay that motion on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	J. J. Paul—2.
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Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. W. McCain,
R. J. Breckinridge,	J. P. Huff,	John McCann,

W. W. Dickerson,	William Lindsay,	Jno. P. Newman,
Sam E. Engilsh,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	D. L. May,	J. H. Shearer,
T. L. Glenn,	James H. Mulligan,	J. S. Wortham—19.
J. B. Hannah,		

Mr. Breckinridge moved that when the Senate adjourns, that it be to meet on to-morrow, at 10:35 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Mulligan, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	John McCann,
W. W. Dickerson,	William Lindsay,	John P. Newman,
Sam E. English,	J. W. Martin,	A. L. Peterman,
G. W. Gates,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	James H. Mulligan,	J. H. Shearer,
J. B. Hannah,	J. W. McCain,	J. S. Wortham—19.
J. P. Huff,		

In the negative—Chas. Patteson—1.

Mr. Roberts moved to lay said bill and the proposed amendments thereto on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	Reuben Conner,	J. J. Paul,
R. J. Breckinridge,	Chas. Patteson,	G. Terry—7.
B. F. Cockrell,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	A. L. Peterman,
W. W. Dickerson,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	J. W. Martin,	Phil Roberts,
G. W. Gates,	Jas. H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
J. B. Hannah,	John McCann,	J. S. Wortham—20.
J. P. Huff,	John P. Newman,	

The question was then taken on the motion made by Mr. Mulligan, and it was decided in the affirmative.

Mr. Mulligan moved to reconsider the vote by which the Senate had agreed that the session of the Senate should be extended until the bill under consideration should be disposed of.

Mr. Mulligan moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	John McCann,
Reuben Conner,	John R. Kemp,	John P. Newman,
W. W. Dickerson,	William Lindsay,	Charles B. Poyntz,
Sam E. English,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	James H. Mulligan,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—19.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	D. L. May,	J. M. Pieratt,
Ben F. Bradley,	Chas. Patteson,	B. F. Reynolds,
R. J. Breckinridge,	J. J. Paul,	Phil Roberts,
B. F. Cockrell,	A. L. Peterman,	G. Terry—13.
J. H. Lunsford,		

The question was then taken on the adoption of the first amendment proposed by Mr. Breckinridge to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

In the affirmative—A. H. Shearer—1.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	John McCann,
Reuben Conner,	John R. Kemp,	John P. Newman,
W. W. Dickerson,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—19.
J. B. Hannah,		

The question was then taken on the adoption of the second amendment proposed by Mr. Breckinridge to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	John P. Newman,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
W. W. Dickerson,	William Lindsay,	B. F. Reynolds,
Sam E. English,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	Jas. H. Mulligan,	A. H. Stewart,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—20.
J. B. Hannah,	John McCann,	

The question was then taken on the adoption of the third amendment proposed by Mr. Breckinridge to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	John P. Newman,
Reuben Conner,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	J. W. Martin,	J. H. Shearer,
Sam E. English,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
J. B. Hannah,	John McCann,	J. S. Wortham—19.
J. P. Huff,		

A message was received from the House of Representatives by Messrs. Langley and F. B. Brown announcing that they were now ready to execute the joint order of the day, the election of a Senator in the Congress of the United States.

The hour of 12 o'clock m. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives in pursuance of the ad-

jourment of the joint session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of service would have expired on the fourth day of March, 1895.

The Speaker of the Senate, at the time designated, took the Chair and called the Joint Assembly to order.

The Clerks of the respective Houses read the proceedings of yesterday.

The Joint Assembly having dispensed with the making of formal nominations.

The Speaker of the Senate, presiding officer of the Joint Assembly, announced that the Clerks would now proceed to take the second joint vote, and the vote being taken, stood thus :

In the Senate :

Those who voted for E. B. Wilhoit were—

B. F. Cockrell, J. B. Hannah—2.

For Dr. Jennings Price—

W. H. Anderson—1.

For John S. Geiger—

W. F. Berry—1.

For W. F. Berry—

Ben F. Bradley—1.

For Ben F. Bradley—

R. J. Breckinridge—1.

For John R. Kemp—

Reuben Conner—1.

For G. W. Duvall—

F. W. Darby—1.

For W. H. Hill—

W. W. Dickerson, G. W. Gates, Jas. H. Mulligan—3.

For P. Booker Reed—

Sam E. English—1.

For T. T. Gardner—

T. L. Glenn, John R. Kemp, William Lindsay—3.

For Robert Tyler—

D. L. May—1.

For Chas. Patteson—

J. W. McCain,

John P. Newman—2.

For W. L. Jackson—

John McCann,

Chas. B. Poyntz—2.

For T. P. Hill—

Chas. Patteson—1.

For C. U. McElroy—

A. L. Peterman—1.

For Robert Riddle—

J. M. Pieratt—1.

For Laban T. Moore—

B. F. Reynolds—1.

For Thomas Rodman—

D. H. Smith—1.

For James A. McKenzie—

G. Terry—1.

For D. W. Wright—

J. S. Wortham—1.

For J. J. Long—

D. W. Wright—1.

For Joseph B. Read—

J. H. Lunsford,

J. H. Shearer—2.

For R. C. Hill—

J. J. Paul—1.

For John W. Langley—

A. H. Stewart—1.

For W. W. Dickerson—

J. P. Huff—1.

For Silas Adams—

J. W. Martin,

Phil Roberts—2.

In the House :

Those voting for John G. Carlisle were—

Wm. H. Able,

John M. Letterle,

Ed E. Hardin—3.

For W. L. Jackson—

John Bartman,
John C. Draddy,

Isaac Middleton, John Ryan—4.

For John W. McCain—

W. S. Bailey—1.

For Charles B. Wickliffe—

W. J. Bale—1.

For G. W. Duvall—

R. N. Beauchamp,
R. H. Crossfield,

Daniel James, Henry Kremer,
Alvis B. Tichenor, J. J. Nall—6.

For Silas Adams—

W. P. Bentley,
I. S. Bow,
W. H. Clark,

John G. Creech, Reuben Morris,
J. H. Coffey, Thomas Murray—8.
Eli Farmer,

For J. J. Nall—

E. D. Briscoe,
G. W. Duvall,

S. L. Holland, N. B. Riley—4.

For Thomas Rodman—

Scott Brown,

Wm. Wharton—2.

For Robert Tyler—

F. B. Brown,

W. H. Hays, W. P. Thorne—3.

For E. B. Wilhoit—

W. O. Blackerby,
W. H. Counts,

R. S. May, J. Watt Womack—5.
D. B. Redwine,

For T. P. Hill—

J. L. Bruce,
Wm. M. Moore,

John T. McClure, W. W. Stephenson,
J. H. McDanell, R. C. Warren—6.

For W. J. Hendrick—

E. R. Burns,

Waller Sharp—2.

For J. S. Wortham—

Tibbis Carpenter,
Tice Jolly,

W. C. McChord, W. R. Palin—5.
Gus. W. Richardson,

- For W. D. Holt—
Hugh P. Cooper—1.
- For W. H. Hill—
Wm. T. Cox, Henry Mason, R. S. Triplett—3.
- For Wallace A. McKay—
J. W. Croan—1.
- For E. E. Settle—
P. B. Davis, Arthur Wallace—2.
- For R. E. Roberts—
John M. Frazee—1.
- For Tibbis Carpenter—
G. H. Gardner—1.
- For Myer Weil—
T. T. Gardner, Jas. H. Rudy—2.
- For E. E. Settle—
Wm. Garrison—1.
- For W. M. Smith—
E. J. Green, Harvey Myers—2.
- For Wm. Lindsey—
R. C. Hill—1.
- For W. W. Dickerson—
B. B. Hensley—1.
- For Wm. Garrison—
Jas. A. Hindman—1.
- For J. M. Willett—
Joseph Jenkins—1.
- For F. B. Brown—
Geo. B. Kinkead—1.
- For John Dills—
John W. Langley—1.
- For R. J. Breckinridge—
J. J. Long—1.
- For W. T. Cox—
W. S. McClanahan, W. M. Smith—2.

For W. F. Berry—

G. W. Norman—1.

For D. H. Smith—

O. T. Petty—1.

For John C. Draddy—

Matthew Rebholz—1.

For John M. Frazee—

R. E. Roberts—1.

For C. U. McElroy—

John W. Rowlett—1.

For Arthur Preston—

E. E. Settle,

M. D. Vanhoose—2.

For W. B. Smith—

S. H. Shouse—1.

For Henry Kremer—

W. B. Smith—1.

For S. S. Scott—

G. W. Terrell—1.

For W. C. McChord—

Claude M. Thomas—1.

For Jennings Price—

R. H. Tomlinson—1.

For Wm. Goebel—

B. R. Walker—1.

For George B. Kinkead—

J. H. Welch—1.

For George Langstaff—

Myer Weil—1.

For Henry Mason—

Chas. B. Wickliffe—1.

For Robert Riddle—

John W. Williams—1.

In summing up the vote of the Joint Assembly, it was found to stand thus :

For Hon. E. B. Wilhoit.....	7 votes
For Hon. Jennings Price.....	2 votes
For Hon. John S. Geiger.....	1 vote
For Hon. W. F. Berry.....	2 votes
For Hon. B. F. Bradley.....	1 vote
For Hon. John R. Kemp.....	1 vote
For Hon. G. W. Duvall.....	7 votes
For Hon. W. H. Hill.....	6 votes
For Hon. P. Booker Reed.....	1 vote
For Hon. T. T. Gardener.....	3 votes
For Hon. Robert Tyler.....	4 votes
For Hon. Charles Patteson.....	2 votes
For Hon. Wm. L. Jackson.....	6 votes
For Hon. T. P. Hill.....	7 votes
For Hon. C. U. McElroy.....	2 votes
For Hon. Robert Riddle.....	2 votes
For Hon. Laban T. Moore.....	1 vote
For Hon. Thomas Rodman.....	3 votes
For Hon. James A. McKenzie.....	1 vote
For Hon. D. W. Wright.....	1 vote
For Hon. J. J. Long.....	1 vote
For Hon. Joseph B. Reed.....	2 votes
For Hon. R. C. Hill.....	1 vote
For Hon. John W. Langley.....	1 vote
For Hon. W. W. Dickerson.....	2 votes
For Hon. Silas Adams.....	10 votes
For Hon. John G. Carlisle.....	3 votes
For Hon. J. W. McCain.....	1 vote
For Hon. Charles B. Wickliffe.....	1 vote
For Hon. J. J. Nall.....	4 votes
For Hon. W. J. Hendricks.....	4 votes
For Hon. J. S. Wortham.....	5 votes
For Hon. W. D. Holt.....	1 vote
For Hon. Wallace A. McKay.....	1 vote
For Hon. E. E. Settle.....	2 votes
For Hon. R. E. Roberts.....	1 vote

For Hon. Tibbis Carpenter	1 vote
For Hon. Myer Weil	2 votes
For Hon. W. E. Settle	1 vote
For Hon. W. M. Smith	2 votes
For Hon. Wm. Lindsay	1 vote
For Hon. Wm. Garrison	1 vote
For Hon. J. M. Willett	1 vote
For Hon. F. B. Brown	1 vote
For Hon. John Dills	1 vote
For Hon. R. J. Breckinridge	1 vote
For Hon. W. T. Cox	2 votes
For Hon. D. H. Smith	1 vote
For Hon. John C. Draddy	1 vote
For Hon. John M. Frazee	1 vote
For Hon. Arthur Preston	2 votes
For Hon. W. B. Smith	1 vote
For Hon. Henry Kremer	1 vote
For Hon. S. S. Scott	1 vote
For Hon. W. C. McChord	1 vote
For Hon. Wm. Goebel	1 vote
For Hon. Geo. B. Kinkead	1 vote
For Hon. John Langstaff	1 vote
For Hon. Henry Mason	1 vote
Total	125 votes

Necessary to a choice, 63 votes.

No one in nomination having received a majority of all the votes cast and of all the members elected to each House of the General Assembly, the Speaker then announced that the Clerk would now proceed to take a third joint vote.

Mr. Cox moved that the Joint Assembly do now dissolve, to meet again on to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

And then the Joint Assembly dissolved.

The Senators then repaired to the Senate Chamber, the Speaker resumed the Chair, and called the Senate to order.

The hour of 1 o'clock P. M. having arrived, the Senate then adjourned.

FRIDAY, MAY 16, 1890.

The Lieutenant-Governor and regular Speaker of the Senate being absent, at his request Hon. D. H. Smith' took the Chair and presided.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Commercial Travelers' Benevolent Society of America.

An act to amend an act, entitled "An act to incorporate the Frankfort, Carrollton & Madison Railroad Company."

An act to establish a graded school in Common School District No. 1, in Leslie county.

An act to incorporate the Kentucky Land and Mining Company.

An act to prevent the sale of spirituous, vinous or malt liquors, or any mixtures thereof, in Common School District No. 26, in Calloway county.

An act to amend the charter of the town of Sebree City, in Webster county.

An act to authorize district No. 83, in Barren county, to vote a tax for three years for the purpose of extending the session of said school.

An act to incorporate the Beattyville, St. Helen and Booneville Telephone and Telegraph Company.

An act to incorporate the Big Sandy Turnpike Company.

An act to incorporate the Bellmont and Flagg Spring Turnpike Road Company, in Campbell county.

An act to amend an act, entitled "An act amending an act to incorporate the Ohio Valley Contracting and Building Company, for the purpose of building and aiding in building railroads, bridges and telegraph lines," approved March 28, 1872.

An act to amend the charter of the city of Owensboro.

An act to declare Green river, in Edmonson county, a lawful fence.

An act to prohibit the chasing of deer with dogs in Edmonson county.

An act to protect game in the county of Laurel.

An act to incorporate the Kentucky and Cumberland Railroad Company.

An act authorizing the county attorney of Owen county to receive certain public books.

An act to authorize the Jonesville and Glencoe Turnpike Road Company to collect toll for the Sugar Creek and Glencoe Turnpike Road Company, in Gallatin county.

An act to prevent stock from running at large on turnpike roads in Gallatin county.

An act to declare Owens' creek of Little Sandy river, in Elliott county, a navigable stream.

An act to amend an act, entitled "An act to amend an act to provide for the working of persons committed to the custody of the jailer of Pike, Letcher, Martin, Knott, Floyd, Johnson, Elliott and Carter counties," approved March 24, 1888, so far as the same applies to the counties of Floyd and Johnson.

An act defining the Knott county line.

An act to incorporate the Cynthiana Western Railroad Company.

An act authorizing the Ghent and Gallatin Turnpike Company to collect tolls for the lessees of the Sugar Creek and Stephens' Creek Turnpike Company, and the Stephens' Creek and Carroll Line Turnpike Company.

An act to amend an act, entitled "An act to provide a road law for Floyd county," approved April —, 1890.

An act authorizing the magistrates in the Glencoe district, in Gallatin county, to hold monthly terms of court.

An act to incorporate the Owensboro Belt Line Railway and Transfer Company.

An act to incorporate the Fidelity Building and Loan Association of Bowling Green.

An act to amend an act, entitled "An act to incorporate the

Paducah, Hinkleville and Blandville Turnpike or Gravel Road Company."

An act to prevent stock from running at large on the turnpikes and public roads in Campbellsburg precinct, in Henry county.

An act to redistrict the counties of Johnston, Martin, Pike, Letcher, Floyd and Knott into legislative districts.

An act to amend the charter of the city of Louisville.

An act to incorporate the Limaburg and Anderson Ferry Turnpike Road Company.

An act to incorporate The Smoke King Company of Louisville, Kentucky.

An act to incorporate the Cove Dale and Ohio River Turnpike Road Company, in Lewis County.

An act to amend an act, entitled "An act to establish a system of common schools for the town of Beech Grove, McLean county," approved April 22, 1882, and to repeal an act amendatory thereto, approved March 25, 1890.

An act to incorporate the Kentucky Oil, Mining and Manufacturing Company.

An act to incorporate the city of Dean-Field, in Ohio county, Kentucky.

An act to prohibit the use of wire fencing along the public roads and turnpikes of Carroll county.

An act to incorporate the Central Improvement Company.

An act to prohibit the sale of spirituous, vinous or malt liquors within one mile of the public school-house of Hindman, Kentucky.

An act to incorporate the Chemical Bank of Lawrenceburg, Kentucky.

An act to incorporate the Bank of Fort Jefferson, at the city of Fort Jefferson, Ballard county.

An act to amend the charter of the city of Covington.

An act to amend the charter of the Owensboro, Falls of Rough and Green River Railroad Company.

An act to incorporate the Kentucky Baptist Historical Society.

An act to incorporate the Vine Grove Banking Company.

An act to incorporate the American Guarantee Company, of Louisville.

An act to authorize the county of Metcalfe to subscribe aid to the Burksville and Northwestern Railroad Company.

An act to provide for a stock law for Woods and Blankenbaker's voting precincts, in Jefferson county.

An act to incorporate the Citizens' Bank of Barbourville.

An act for the benefit of E. L. Garnett, James Carman and John W. Wrather, late trustees in and for common school district No. 42, Graves county, Kentucky.

An act to authorize the city of Henderson to issue bonds to the amount of fifty thousand dollars for sewerage purposes.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Bank of Commerce of Mt. Sterling.

An act to incorporate Buckner College of Hindman, Knott county, Kentucky.

An act for the benefit of Bedford common school district No. 6, white, in Trimble county.

An act to amend an act, entitled "An act to incorporate the Kentucky Chautauqua Assembly," approved January 25, 1888.

An act for the benefit of Robert Clark, late sheriff of Clay county.

An act for the benefit of common school district No. 37, Butler county.

An act to change the line between common school district No. 26, and common school district No. 1, in Montgomery county, Kentucky, for the benefit of Mrs. Lucy Curry.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act fixing the boundary of school district No. 67, in Fleming county."

2. An act to amend an act to incorporate the board of trustees of the graded city school of the city of Cynthiana, Kentucky.

3. An act to declare Gilmore creek, Lacy's creek and Stillwater creek, in Wolfe county, navigible streams.

4. An act to amend an act, entitled "An act to charter the Leesburg and Silas Meeting-house Turnpike Road Company, in Bourbon county."

5. An act to amend an act to incorporate the town of Bethlehem.

6. An act to incorporate the Germantown Deposit Bank of Kentucky.

Which bills were severally read the first time and ordered to be read second a time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st and 2d to the Committee on Education ; the 4th to the Committee on Agriculture and Manufactures ; the 5th to the Committee on Public Expenditures ; the 6th to the Committee on Banks and Insurance, and the 3d named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Barnes' Mill and Schooler Turnpike Road Company, in Madison county.

An act to amend and act, entitled "An act to authorize the city of Henderson to issue bonds not to exceed in the aggregate the sum of \$450,000 in amount," approved April 7, 1890.

An act to incorporate the Grayson County Fair Company.

An act to incorporate the town of Highland Park, in Jefferson county.

An act to incorporate the Princeton Belt Railway Company.

An act to provide for the issual of county bonds for the erection of a new court-house in Montgomery county.

An act to change and fix the time of holding the courts in the Thirteenth Judicial District.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Louisville Polytechnic Auditorium.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to change the corporate limits of the town of Hillsboro, in Fleming county.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the New Haven Bank and Trust Company.

By Mr. McCain, from the Committee on Public Expenditures—

An act to print sheriffs' and commissioners' advertisements of land sales, etc., in Trimble county, in county paper.

By Mr. Wright, from the Committee on Lotteries—

An act in relation to the licensing of the Frankfort Lottery of Kentucky, and Henry Academy and Henry Female College.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to incorporate the Cumberland River Coal and Mining Company.

By Mr. English, from the Committee on Internal Improvements—

An act to authorize the Fayette County Court to subscribe stock in the Fort Spring and Pinkard Turnpike Road Company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Kemp, from the Committee on Library, Public Buildings and Offices—

An act to create and establish District No. 13, known as Sedalia, in Graves county.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to prevent stock from running at large in the county of Bath.

By Mr. Dickerson, from the Committee on Revenue and Taxation—

An act to incorporate the Saint Patrick's Total Abstinence Society of the Church of St. James, Brooksville, Kentucky.

By same—

An act authorizing and requiring persons living along the Humlong and Sharon turnpike road, in Bracken county, to work out their road-tax on said road.

By same—

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act, entitled "An act to incorporate the Drennon Creek Turnpike Company, and authorize a portion of Henry county to indorse the bonds of said company."

By Mr. Paul, from the Committee on Codes of Practice—

An act to amend the charter of the town of Barbourville.

By Mr. Wortham, from the Committee on Charitable Institutions—

An act to prescribe the form of report made out by the stewards to superintendents of the various charitable institutions of this Commonwealth.

By Mr. Hays, from the Committee on Banks and Insurance—

An act to incorporate the Peoples' Savings Bank, of Maysville, Kentucky.

By Mr. Cockrell, from the Committee on Revenue and Taxation—

An act to prevent stock from running at large in the Chatham and Germantown precincts, in Bracken county.

By Mr. Cockrell, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled "An act to incorporate the Hawkins and Cummon's Turnpike Road Company, in Bourbon county," approved April 4, 1844.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto.

By Mr. Darby, from the Committee on Codes of Practice—

An act to provide for the punishment of petit larceny or wife beating in Crittenden county.

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Sadowski Lake Association.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Louisville, Somerset and Jellico Southern Railroad Company.

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hannah, from the Committee on Courts of Justice, to whom was referred a bill, which originated in the Senate, entitled

An act authorizing and directing the Secretary of State to furnish the county of Rowan with two sets of Reports of the Court of Appeals for use in the county and circuit court clerks' offices in said county,

Together with an amendment thereto, which was adopted by the House of Representatives,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Darby read and laid on the table the following joint resolution, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, That the Governor shall appoint seven persons, who, together with himself, the Director of the Geological Sur-

vey and Commissioner of Agriculture, who shall be commissioners, whose duty it shall be to take such steps and do such things as may be necessary and proper to secure a due representation and exhibition of the natural, mineral, agricultural and other resources and wealth and progress of the State at the World's Fair, to be held at Chicago in 1892 and 1893. Said commissioners shall negotiate with commercial clubs, boards of trade, chambers of commerce, and railroads, mining, manufacturing, land and improvement companies, corporations, and individuals for such co-operation and aid as they may be able to procure in the carrying out of the purposes of this resolution. The specimens, etc., in the Geological Survey department may be used; same may be returned after such use, and may, if it seem best, co-operate with other State or States on such terms as may be agreed upon. The Auditor shall, from time to time, draw his warrant on the Treasury for such amounts as the said commissioners may certify to him as expenses hereunder—the total, however, not to exceed thirty thousand dollars. The commissioners shall receive no compensation for services, but shall be paid their expenses while engaged in their duties.

2. This resolution shall be in force from its passage.

Which resolution, under the rules, lies one day on the table.

Mr. Peterman, from the Committee on Education, to whom was recommitted a bill, which originated in the Senate, entitled

An act to amend and reform articles 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 of the common school laws of this Commonwealth,

Reported the same without amendment.

On motion of Mr. Breckinridge—

Ordered, That the further consideration of said bill be postponed, and that said bill be made the special order of the day for tomorrow at 11 o'clock A. M., and from day to day until disposed of, said bill to have precedence over all other business at said hour, on said day.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Peterman—

1. A bill, entitled "An act to encourage arboriculture in this Commonwealth.

On motion of Mr. Huff—

2. A bill to change the corporate limits of the town of Hillsboro. in Fleming county.

On motion of Mr. Peterman—

3. An act providing for an educational exhibit at the World's Fair at Chicago, in 1892.

Ordered that the Committee on Education bring in the 1st and 3d, and the Committee on Propositions and Grievances, the 2d.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same ;

An act to incorporate Oil City, Barren county ;

An act requiring road supervisors of Henderson county to be elected by a direct vote of the people ;

An act for the benefit of the city of Frankfort ;

An act to create a legal voting precinct at Hubbard, in common school district No. 24, in Lyon county ;

An act for the benefit of William H. Corbett (*alias* Hick Corbett), of McCracken county ;

An act to authorize the Fayette County Court to subscribe stock for turnpike purposes ;

An act to incorporate the Shelbyville Water-works Company, and to authorize the city of Shelbyville to take stock therein ;

An act to incorporate the town of East View, in Hardin county, Kentucky ;

An act to incorporate the Carthage Cemetery Company, in Campbell county ;

An act to incorporate the Farmer's Bank, of Mayslick, Kentucky ;

An act to protect the citizens of district No. 1, on the east side of turnpike road, in Anderson county, from trespass by stock ;

An act to incorporate the Kenton Pearce & Co.'s Bank, of Mt. Olivet, Kentucky ;

An act for the benefit of school district No. 85, in Daveiss county, Kentucky ;

An act to authorize the Lewis County Court to provide for the erection of a bridge over Scaffold Lick creek, in Quincy precinct ;

An act to amend an act, entitled "An act to incorporate the Falls City Real Estate Company ;"

An act to incorporate the Cemetery of St. Stevens ;

An act to enable the board of trustees of the town of Dover, in Mason county, Kentucky, to issue bonds of said town for the improvement of the town of Dover, and in aid of the establishment of manufactures in said town ;

An act to authorize the consolidation of the town of Chester with the city of Maysville, in Mason county ;

An act to incorporate the Cynthiana Electric Light and Artificial Ice Company ;

An act to amend chapter 1065, sessions 1878-1888, entitled, "An act to amend an act to establish the office of physician to jail of Jefferson county ;"

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act in relation to roads and bridges in McLean county ;

An act to authorize the county court of Montgomery county to subscribe for stock in turnpike roads in said county, and to provide means for the payment thereof ;

An act constituting Green river a lawful fence from its mouth to the point where it forks with Barren river ;

An act for the benefit of the Mt. Zion Turnpike Road Company, in Nicholas county ;

An act to incorporate the Breathitt City Bridge Company ;

An act to incorporate the Ashland Real Estate and Loan Company ;

And had found the same correctly enrolled.

Said bills, having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to re-apportion the State into eleven Congressional districts.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky. § 1. That the State of Kentucky be, and the same is hereby, laid off into eleven Congressional districts, composed

as follows, to-wit: The first district shall be composed of the counties of Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken and Trigg; the second district shall be composed of the counties of Christian, Daveiss, Hancock, Henderson, Hopkins, McLean, Muhlenberg, Union and Webster; the third district shall be composed of the counties of Allen, Butler, Barren, Cumberland, Edmonson, Logan, Monroe, Metcalfe, Simpson, Todd and Warren; the fourth district shall be composed of the counties of Adair, Breckinridge, Bullitt, Grayson, Green, Hardin, Hart, Larue, Marion, Meade, Nelson, Ohio and Taylor; the fifth district shall be composed of the county of Jefferson; the sixth district shall be composed of the counties of Boone, Campbell, Carroll, Gallatin, Grant, Kenton, Pendleton and Trimble; the seventh district shall be composed of the counties of Bourbon, Fayette, Franklin, Henry, Oldham, Owen, Scott and Woodford; the eighth district shall be composed of the counties of Anderson, Boyle, Garrard, Jessamine, Lincoln, Madison, Mercer, Rockcastle, Shelby, Spencer and Washington; the ninth district shall be composed of the counties of Bracken, Bath, Boyd, Carter, Fleming, Greenup, Harrison, Lewis, Lawrence, Mason, Nicholas, Robertson and Rowan; the tenth district shall be composed of the counties of Breathitt, Clark, Elliott, Estill, Floyd, Johnson, Knott, Lee, Martin, Magoffin, Montgomery, Morgan, Menefee, Pike, Powell and Wolfe; the eleventh district shall be composed of the counties of Bell, Casey, Clay, Clinton, Harlan, Jackson, Knox, Letcher, Leslie, Laurel, Owsley, Perry, Pulaski, Russell, Wayne and Whitley.

§ 2. All laws in conflict herewith are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Smith proposed the following amendment as a substitute for said bill, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the State of Kentucky, be, and the same is hereby, laid off into eleven Congressional districts, composed as follows, to-wit: The first district shall be composed of the counties of Ballard, Caldwell, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken and Trigg; the second district shall be composed of the counties of Christian, Daveiss, Hancock, Henderson, Hopkins, McLean, Union and Webster; the third district shall be composed of the counties of Allen, Butler, Barren, Cumberland, Edmonson, Logan, Monroe, Muhlenberg, Simpson, Todd and Warren; the fourth district shall be composed of the counties of Breckinridge, Bullitt, Grayson, Green, Hardin, Hart, Larue, Marion, Meade, Nelson, Ohio, Taylor and Washington; the fifth district shall be composed of the county

of Jefferson ; the sixth district shall be composed of the counties of Boone, Campbell, Carroll, Gallatin, Grant, Kenton, Pendleton and Trimble ; the seventh district shall be composed of the counties of Bourbon, Fayette, Franklin, Henry, Oldham, Owen, Scott and Woodford ; the eighth district shall be composed of the counties of Anderson, Boyle, Garrard, Jessamine, Lincoln, Madison, Mercer, Rockcastle, Shelby, Spencer and Jackson ; the ninth district shall be composed of the counties of Bracken, Bath, Boyd, Carter, Fleming, Greenup, Harrison, Lewis, Lawrence, Mason, Nicholas, Robertson and Rowan ; the tenth district shall be composed of the counties of Breathitt, Clark, Elliott, Estill, Floyd, Johnson, Knott, Lee, Martin, Magoffin, Montgomery, Morgan, Menefee, Pike, Powell and Wolfe ; the eleventh district shall be composed of the counties of Adair, Bell, Casey, Clay, Clinton, Harlan, Knox, Letcher, Leslie, Laurel, Metcalfe, Owsley, Perry, Pulaski, Russell, Wayne and Whitley.

§ 2. All laws in conflict herewith are hereby repealed.

§ 3. This act shall take effect and be in force from and after its passage.

Mr. Breckinridge proposed the following amendment to said proposed substitute, viz :

Amend by adding as an additional section, to-wit :

This act shall not take effect nor be in force until the Governor of this Commonwealth shall issue his proclamation declaring it to be in force.

Mr. Peterman proposed the following amendment to said proposed substitute, viz :

Amend by placing Adair county in the 4th district.

Mr. Dickerson moved that the session of the Senate be extended until the bill under consideration should be disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E English,	J. M. Pieratt,
W. F. Berry,	G. W. Gates,	B. F. Reynolds,
Ben F. Bradley,	T. L. Glenn,	D. H. Smith,
R. J. Breckinridge,	J. B. Hannah,	G. Terry,
B. F. Cockrell,	John R. Kemp,	J. S. Wortham,
Reuben Conner,	Jas. H. Mulligan,	D. W. Wright—20.
W. W. Dickerson,	J. W. McCain,	

Those who voted in the negative, were—

J. P. Huff,	A. L. Peterman,	J. H. Shearer,
J. H. Lunsford,	Phil Roberts,	A. H. Stewart—7.
J. W. Martin,		

Mr. Dickerson moved to reconsider the vote by which the Senate had extended the session.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. M. Pieratt,
W. F. Berry,	T. L. Glenn,	B. F. Reynolds,
R. J. Breckinridge,	J. B. Hannah,	D. H. Smith,
B. F. Cockrell,	John R. Kemp,	G. Terry,
Reuben Conner,	D. L. May,	J. S. Wortham,
F. W. Darby,	James H. Mulligan,	D. W. Wright—20.
W. W. Dickerson,	J. W. McCain,	

Those who voted in the negative, were—

J. P. Huff,	J. J. Paul,	J. H. Shearer,
J. H. Lunsford,	A. L. Peterman,	A. H. Stewart—8.
J. W. Martin,	Phil Roberts,	

Pending the further consideration of said bill the hour of 12 o'clock M. having arrived, further action thereon was cut off by the joint order of the day.

A message was received from the House of Representatives by Messrs. Cox, May and Langley, announcing that they were now ready to execute the joint order of the day, the election of a Senator in the Congress of the United States.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives in pursuance of the adjournment of the Joint Session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of service would have expired on the 4th day of March, 1895.

The Speaker of the Senate took the Chair, and called the Joint Assembly to order.

Mr. Peterman moved that the reading of the Journals be dispensed with.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being demanded thereon by Messrs. Letterle and Richardson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	F. B. Brown,	John W. Langley,
W. F. Berry,	W. O. Blackerby,	J. J. Long,
Ben F. Bradley,	I. S. Bow,	Henry Mason,
R. J. Breckinridge,	J. L. Bruce,	Wm. M. Moore,
B. F. Cockrell,	E. R. Burns,	W. S. McClanahan,
Reuben Conner,	Tibbis Carpenter,	W. C. McChord,
F. W. Darby,	J. H. Coffey,	J. H. McDanell,
W. W. Dickerson,	Hugh P. Cooper,	J. J. Nall,
Sam E. English,	W. H. Counts,	Matthew Rebholz,
G. W. Gates,	John G. Creech,	D. B. Redwine,
T. L. Glenn,	R. H. Crossfield,	N. B. Riley,
J. B. Hannah,	P. B. Davis,	R. E. Roberts,
J. P. Huff,	G. W. Duvall,	John W. Rowlett,
John R. Kemp,	John M. Frazee,	Jas. H. Rudy,
J. H. Lunsford,	G. H. Gardner,	S. H. Shouse,
J. W. McCain,	T. T. Gardner,	W. B. Smith,
J. J. Paul,	Wm. Garrison,	W. M. Smith,
A. L. Peterman,	James P. Gay,	W. W. Stephenson,
Chas. B. Poyntz,	E. J. Green,	G. W. Terrell,
B. F. Reynolds,	Ed E. Hardin,	Alvis B. Tichenor,
Phil Roberts,	R. C. Hill,	Claude M. Thomas,
G. Terry,	W. H. Hays,	W. P. Thorne,
D. W. Wright,	B. B. Hensley,	M. D. Vanhooose,
Wm. H. Able,	Jas. A. Hindman,	Arthur Wallace,
Silas Adams,	S. L. Holland,	B. R. Walker,
John Bartman,	Daniel James,	R. C. Warren,
W. S. Bailey,	Joseph Jenkins,	Myer Weil,
E. D. Briscoe,	Tice Jolly,	Wm. Wharton—86.
Scott Brown,	Henry Kremer,	

Those who voted in the negative, were—

D. L. May,	Reuben Morris,	R. S. Triplett,
W. J. Bale,	Thomas Murray,	Chas. B. Wickliffe,
John C. Draddy,	Gus. W. Richardson,	Theo. C. Wolking,
John M. Letterle,	John Ryan,	J. Watt Womack—13.
Isaac Middleton,	E. E. Settle,	

The making of formal nominations having been dispensed with,

The Speaker announced that the Clerks would now proceed to take the third joint vote.

And the vote being taken, stood thus :

In the Senate :

Those who voted for James H. Rudy were—

W. H. Anderson—1.

For L. J. Husbands—

W. F. Berry—1.

For H. M. McCarty—

Ben. F. Bradley—1.

For T. P. Hill—

R. J. Breckinridge—1.

For Todd Hall—

B. F. Cockrell,

D. L. May,

D. H. Smith—3.

For S. S. Scott—

Reuben Conner—1.

For John R. Grace—

F. W. Darby—1.

For Leslie T. Applegate—

W. W. Dickerson—1.

For Thomas H. Sherley—

Sam E. English—1.

For George B. Varguson—

G. W. Gates,

James H. Mulligan, J. W. McCain—3.

For S. L. Holland—

T. L. Glenn—1.

For J. R. Botts—

J. B. Hannah—1.

For Reuben Conner—

John R. Kemp—1.

For B. F. Bradley—

A. L. Peterman—1.

For A. E. Cole—

C. B. Poyntz—1.

For Thomas H. Paynter—

B. F. Reynolds—1.

For James Mulligan, Jr.

D. W. Wright—1.

For John W. Langley—

J. H. Lunsford,

J. J. Paul,

Phil Roberts—3.

For Hiram Duly—

J. P. Huff—1.

In the House :

Those voting for John G. Carlisle were—

Wm. H. Able,

John M. Letterle—2.

For R. T. Scowden—

John Bartman,

John Ryan—2.

For Arthur Ford—

W. S. Bailey,

R. C. Warren—2.

For W. H. Counts—

W. J. Bale—1.

For I. H. Goodnight—

R. N. Beauchamp,

W. S. McClanahan, Wm. Garrison—3.

For Joseph Jenkins—

E. D. Briscoe,

F. B. Brown,

Ed E. Hardin,

Alvis B. Tichenor—4.

For John S. Williams—

Scott Brown—1.

For Leslie T. Applegate—

W. O. Blackerby,

B. B. Hensley,

John T. McClure—3.

For Silas Adams—

I. S. Bow,

J. H. Coffey,

Reuben Morris,

Thomas Murray—4.

For J. R. Grace—

J. L. Bruce,	Wm. M. Moore,	J. J. Nall,
N. B. Riley,	Matthew Rebholz,	R. H. Tomlinson,
Harvey Myers,	Arthur Wallace,	Wm. Wharton,
Theo. C. Wolking—10.		

For Hiram Duly—

E. R. Burns—1.

For John G. Gatewood—

Tibbis Carpenter—1.

For Todd Hall—

John G. Creech,	Hugh P. Cooper,	G. H. Gardner,
S. L. Holland,	O. T. Petty,	W. M. Smith,
Gus. W. Richardson,	John W. Williams,	M. D. Vanhooose—9.

For W. S. Harkins—

W. H. Counts,	R. S. May,	D. B. Redwine,
J. Watt Womack—4.		

For John M. Frazee—

Wm. T. Cox—1.

For R. H. Crossfield—

J. W. Croan—1.

For J. W. Croan—

R. H. Crossfield—1.

For Harry G. Johnson—

P. B. Davis—1.

For Matthew Rebholz—

John C. Draddy—1.

For F. W. Darby—

G. W. Duvall,	Joseph Jenkins,	B. R. Walker—3.
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For Ben. Lee Hardin—

John M. Frazee—1.

For S. L. Holland—

T. T. Gardner—1.

For W. B. Smith—

James P. Gay,	Daniel James,	Henry Kremer—3.
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For Mat. Walton—

E. J. Green—1.

For John E. Jones—

R. C. Hill—1.

- For Hugh P. Cooper—
W. H. Hays—1.
For S. H. Boles—
Jas. A. Hindman—1.
For W. C. McChord—
Tice Jolly—1.
For A. H. Stewart—
John W. Langley—1.
For J. P. Gay—
W. C. McChord, J. J. Long W. B. Smith—3.
For Geo. B. Varguson—
Henry Mason, Claude M. Thomas, R. S. Triplett—3.
For W. R. Palin—
Isaac Middleton—1.
For Rod Perry—
J. H. McDanell—1.
For J. W. McCain—
W. R. Palin—1.
For Alfred M. Wallace—
R. E. Roberts—1.
For W. J. Bale—
John W. Rowlett, Chas. B. Wickliffe—2.
For Thomas H. Sherley—
Jas. H. Rudy—1.
For Myer Well—
E. E. Settle—1.
For James H. Rudy—
Waller Sharp, J. H. Welch—2.
For John W. Williams—
S. H. Shouse—1.
For E. H. Gaither—
W. W. Stephenson—1.
For W. H. Baker—
G. W. Terrell—1.

For J. J. Long—

W. P. Thorne—1.

For Chas. K. Wheeler—

Myer Weil—1.

In summing up the vote of the Joint Assembly, it was found to stand thus :

For Hon. Joseph Jenkins.....	4 votes
For Hon. John G. Carlisle.....	2 votes
For Hon. R. T. Scowden.....	2 votes
For Hon. Arthur Ford.....	2 votes
For Hon. W. H. Counts.....	1 vote
For Hon. I. H. Goodnight.....	3 votes
For Hon. John S. Williams.....	1 vote
For Hon. Leslie T. Applegate.....	4 votes
For Hon. Silas Adams.....	4 votes
For Hon. J. R. Grace.....	11 votes
For Hon. H. Duley.....	2 votes
For Hon. John G. Gatewood.....	1 vote
For Hon. Todd Hall.....	12 votes
For Hon. W. S. Harkins.....	4 votes
For Hon. John M. Frazee.....	1 vote
For Hon. R. H. Crossfield.....	1 vote
For Hon. J. W. Croan.....	1 vote
For Hon. Harry G. Johnson.....	1 vote
For Hon. Mathew Rebholz.....	1 vote
For Hon. F. W. Darby.....	3 votes
For Hon. Ben Lee Hardin.....	1 vote
For Hon. S. L. Holland.....	2 votes
For Hon. W. B. Smith.....	3 votes
For Hon. Mat Walton.....	1 vote
For Hon. John E. Jones.....	1 vote
For Hon. Hugh P. Cooper.....	1 vote
For Hon. S. H. Boles.....	1 vote
For Hon. W. C. McChord.....	1 vote
For Hon. A. H. Stewart.....	1 vote
For Hon. James P. Gay.....	3 votes
For Hon. George B. Vargusson.....	6 votes
For Hon. W. R. Palin.....	1 vote
For Hon. Rod Perry.....	1 vote

For Hon. J. W. McCain.....	1 vote
For Hon. Alfred M. Wallace.....	1 vote
For Hon. Thomas H. Sherley.....	2 votes
For Hon. Myer Weil.....	1 vote
For Hon. James H. Rudy.....	3 votes
For Hon. John W. Williams.....	1 vote
For Hon. E. H. Gaither.....	1 vote
For Hon. W. H. Baker.....	1 vote
For Hon. J. J. Long.....	1 vote
For Hon. Charles K. Wheeler.....	1 vote
For Hon. W. J. Bale.....	2 votes
For Hon. L. J. Husbands.....	1 vote
For Hon. H. M. McCarty.....	1 vote
For Hon. T. P. Hill.....	1 vote
For Hon. S. S. Scott.....	1 vote
For Hon. J. R. Botts.....	1 vote
For Hon. Reuben Conner.....	1 vote
For Hon. B. F. Bradley.....	1 vote
For Hon. A. E. Cole.....	1 vote
For Hon. T. H. Paynter.....	1 vote
For Hon. J. H. Mulligan, Jr.....	1 vote
For Hon. John W. Langley.....	3 votes
Total.....	112 votes

Necessary to a choice, 57 votes.

No one voted for having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker then announced that the Clerk would now proceed to take a fourth joint vote.

Mr. Dickerson moved that the Joint Assembly do now dissolve, to meet again on to-morrow, at 12 o'clock M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Richardson and Letterle, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	James P. Gay,	Gus. W. Richardson,
J. B. Hannah,	E. J. Green,	N. B. Riley,

D. H. Smith,	Ed E. Hardin,	John W. Rowlett,
Wm. H. Able,	B. B. Hensley,	Jas. H. Rudy,
John Bartman,	Jas. A. Hindman,	John Ryan,
W. J. Bale,	S. L. Holland,	E. E. Settle,
R. N. Beauchamp,	Daniel James,	S. H. Shouse,
Scott Brown,	Joseph Jenkins,	W. B. Smith,
J. L. Bruce,	Tice Jolly,	W. M. Smith,
E. R. Burns,	Henry Kremer,	W. W. Stephenson,
J. H. Coffey,	John W. Langley,	W. P. Thorne,
W. H. Counts,	John M. Letterle,	R. H. Tomlinson,
W. T. Cox,	Henry Mason,	R. S. Triplett,
John G. Creech,	Isaac Middleton,	M. D. Vanhooose,
J. W. Croan,	Wm. M. Moore,	Arthur Wallace,
R. H. Crossfield,	Reuben Morris,	B. R. Walker,
P. B. Davis,	W. S. McClanahan,	J. H. Welch,
John C. Draddy,	W. C. McChord,	Myer Weil,
G. W. Duvall,	John T. McClure,	Wm. Wharton,
John M. Frazee,	J. H. McDanell,	Chas. B. Wickliffe,
G. H. Gardner,	J. J. Nall,	Theo. C. Wolking,
T. T. Gardner,	D. B. Redwine,	J. Watt. Womack—67.
Wm. Garrison,		

In the negative—none.

And then the joint Assembly dissolved.

The Senators then repaired to the Senate Chamber, and resumed the consideration of a bill, which originated in the Senate, entitled

An act to re-apportion the State into eleven Congressional districts.

Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Breckinridge, to the substitute proposed by Mr. Smith for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Roberts and Breckinridge, were as follows, viz:

Those who voted in the affirmative, were—

R. J. Breckinridge, A. L. Peterman, D. H. Smith—3.

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English,	J. W. McCain,
W. F. Berry,	G. W. Gates,	J. M. Pieratt,
Ben F. Bradley,	T. L. Glenn,	Chas. B. Poyntz,

B. F. Cockrell,	J. B. Hannah,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	G. Terry,
F. W. Darby,	William Lindsay,	J. S. Wortham,
W. W. Dickerson,	James H. Mulligan,	D. W. Wright—21.

The question was then taken on the adoption of the amendment proposed by Mr. Peterman to the substitute proposed by Mr. Smith for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. M. Pieratt,	B. F. Reynolds,
Jas. H. Mulligan,	Chas. B. Poyntz,	A. H. Stewart—7.
A. L. Peterman,		

Those who voted in the negative, were—

W. H. Anderson,	Sam E. English,	J. H. Shearer,
Ben F. Bradley,	G. W. Gates,	D. H. Smith,
B. F. Cockrell,	T. L. Glenn,	G. Terry,
Reuben Conner,	J. B. Hannah,	J. S. Wortham,
F. W. Darby,	John R. Kemp,	D. W. Wright—17.
W. W. Dickerson,	J. W. McCain,	

The question was then taken on the adoption of the substitute proposed by Mr. Smith to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. M. Pieratt,
Ben F. Bradley,	T. L. Glenn,	C. B. Poyntz,
B. F. Cockrell,	J. B. Hannah,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	D. H. Smith,
F. W. Darby,	William Lindsay,	G. Terry,
W. W. Dickerson,	Jas. H. Mulligan,	J. S. Wortham,
Sam E. English,	J. W. McCain,	D. W. Wright—21.

Those who voted in the negative, were—

W. F. Berry,	A. L. Peterman,	A. H. Stewart—5.
R. J. Breckinridge,	J. H. Shearer,	

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	J. M. Pieratt,
Ben F. Bradley,	J. B. Hannah,	Chas. B. Poyntz,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
F. W. Darby,	William Lindsay,	D. H. Smith,
W. W. Dickerson,	Jas. H. Mulligan,	G. Terry,
Sam E. English,	J. W. McCain,	J. S. Wortham,
G. W. Gates,	A. L. Peterman,	D. W. Wright—21.

Those who voted in the negative, were—

W. F. Berry,	J. W. Martin,	J. H. Shearer,
R. J. Breckinridge,	Phil. Roberts,	A. H. Stewart—7.
J. H. Lunsford,		

Resolved, That the title of said bill be as aforesaid.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

Mr. Dickerson moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate adjourned.

SATURDAY, MAY 17, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Farmer's and Merchant's Bank, of Falmouth," approved March 25, 1890.

An act to amend an act, entitled "An act relating to branding logs on Kentucky and Cumberland rivers," approved May 15, 1886.

An act to incorporate the Loan and Investment Company, of Irvine.

An act to incorporate the Louisville Conduit and Subway Company.

An act to amend an act, entitled "An act to incorporate the Williamsburg Institute," approved April 6, 1888.

An act to create the office of county treasurer, of Mercer county.

An act to amend an act to provide for a stock law in Jefferson and Oldham counties, approved April 15, 1882.

An act to amend the charter of the town of West Covington.

An act to amend the charter of the South Covington and Cincinnati Street Railway Company.

An act to amend an act to incorporate Citizen's Bank, of Booneville, approved April 25, 1890.

An act to increase the jurisdiction of magistrates to \$200 in the county of Trigg.

An act to amend an act, entitled "An act to incorporate the Eldorado and Dugansville Turnpike Road Company."

An act to amend the charter of the city of Paducah.

An act to incorporate the Kentucky Real Estate and Loan Company.

An act to incorporate the Muhlenburg Oil, Gas and Mining Company.

An act for the benefit of common school districts Nos. 33 and 34, of Henderson county.

An act to incorporate the Barbourville Water-works Company.

An act for the benefit of common school district No. 7, of Trigg county.

An act to incorporate the Standard Coal and Coke Company.

An act to incorporate the Home Deposit and Trust Company.

An act to incorporate the Booneville, Beattyville and St. Helen Turnpike Road Company.

Resolution for the benefit of R. J. Cassidy, of Fayette county, Kentucky.

That they had passed a bill, which originated in the Senate of the following title, viz :

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

That they had passed a bill, entitled

An act to charter the Owingsville Normal and Business College.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

It was referred to the Committee on Education.

The Speaker of the Senate, in pursuance of a resolution adopted by the Senate, announced the appointment of Messrs. Breckinridge, Bradley and Kemp, a special committee to investigate the facts and circumstances attending the loss of a bill, which originated in the Senate, entitled

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company.

A message was received from the Governor, by Hon. E. Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Louisville, Mt. Sterling and Norfolk Railroad Company.

An act to permit the Warren County Court to change or modify the terms and conditions upon which Warren county

agreed to subscribe to the capital stock of the Bowling Green and Northern Railroad Company.

An to amend an act, entitled "An act to create a common pleas court in the counties of Bourbon, Clark, Madison, Bath and Montgomery.

An act extending and enlarging the boundary of common school district No. 17, white, Madison county.

An act to incorporate the city of Flemingsburg.

An act to incorporate the city of Fort Jefferson.

An act to amend the charter of the city of Louisville, and directory to the board of commissioners of public charities of said city.

An act to incorporate the Southern Railway News Company ;

An act to incorporate the Hodgenville and Glasgow Railroad Company.

An act for the protection of the Mammoth Cave, in Edmonson county.

An act for the benefit of W. G. Goodwin and wife.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 15, 1890. }

Hon. JAMES W. BRYAN, Speaker of the Senate, and Hon.

HARVEY MYERS, Speaker of the House of Representatives :

GENTLEMEN : The General Assembly of the Commonwealth of Kentucky having, by a resolution adopted on the 15th day of January, 1890, authorized the Auditor to draw his warrants upon the Treasurer to relieve the citizens of Clinton, Wickliffe and Lowes, in this State, who were actual sufferers from the effects of a then recent tornado which had passed through said towns, such warrants to be drawn from time to time in such sums as might be necessary and proper by the Governor and Auditor, the same not to exceed in the aggregate the sum of ten thousand dollars, to be used in supplying "provisions, fuel, medicine, medical attention and shelter" for such sufferers ; and said resolution further providing that "they shall report in full

the amount contributed to each city, town or county, and shall use only so much of the money appropriated as they deem necessary upon satisfactory evidence." We therefore beg leave to report to your honorable body that in accordance with the provisions of said resolution we at once proceeded to cause to be ascertained the number and condition of the sufferers from the effects of said tornado in each of said towns and localities, and to appoint local relief boards therein where necessary to aid in carrying out said resolution, and that we have caused to be expended, and warrants drawn by the Auditor upon the Treasurer with properly prepared and approved vouchers, filed in the Auditor's Office, for the following sums :

Warrant No. 682, to W. P. Moss, member Clinton Relief Committee, for tornado sufferers	\$ 500 00
Warrant No. 860, to Geo. L. Husbands, Chairman Relief Committee, Clinton, Kentucky	1,259 95
Warrant No. 1,389, to Will T. Walker, Secretary Relief Committee, Warrent No. —, Clinton, Kentucky	1,728 17
Warrant No. 2,277, to same	840 01
Warrant No. 3,785, to same	527 13
	<hr/>
Amount contributed to Clinton.	\$4,855 26
Warrant No. 709, to J. E. Conley, Chairman Relief Committee, Wickliffe, Kentucky	\$500 00
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Amount contributed to Wickliffe	500 00
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Total amount expended	<u>\$5,355 26</u>

From the reports of the local board of relief, and other facts in our possession, we are of the opinion that no further expenditure under the provisions of the resolution are necessary. All of which is respectfully submitted.

S. B. BUCKNER,

L. C. NORMAN,

Auditor.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of George H. Hocker, of Boyle county,

Reported the same without amendment.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Resolved, That the title of said resolution be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend section 8, article 9 of the common school law ;

An act to incorporate the Big Sandy Bridge Company ;

An act to amend an act, entitled "An act to establish a road law for Lawrence county ;

An act to incorporate the Bank of Barbourville ;

An act to authorize Sireptha Noel to be maintained at the Central or Western Lunatic Asylum without cost to her parents ;

An act to amend the charter of the town of Hiseville, in Barren county ;

An act to incorporate the Pineville Bank, Loan and Trust Company ;

An act to amend and reduce into one the several acts in relation to the charter of the town of Adairville, in Logan county ;

An act to provide for a registration of voters in the city of Covington ;

An act to amend an act to provide for the election and in part define the duties of a mayor, board of councilmen and school trustees of the city of Frankfort, and to provide for the establishment of a board of commissioners to control the police and fire department thereof, and define their duties, approved April 30, 1888 ;

An act to incorporate the Barbourville Gas Light Company ;

An act to provide for holding primary elections in Magoffin county ;

An act authorizing the constable of the New Haven magisterial district in Nelson county, to appoint a deputy in the New Hope precinct in said district ;

An act authorizing the town board of London, Kentucky, to issue bonds to macadamize and provide street lamps for the streets of said town ;

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky ;

An act to incorporate the Oakland and Steward's Fork Turnpike Company, in Warren county ;

An act to incorporate the Rockfield and Northern Railroad Company ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to change the line between common school district No. 26, and common school district No. 1, in Montgomery county, Kentucky, for the benefit of Mrs. Lucy Curry ;

An act to incorporate the Bank of Commerce of Mt. Sterling ;

An act to incorporate Buckner College of Hindman, Knott county, Kentucky ;

An act to incorporate the Southwestern News Company ;

An act to provide for the adoption and use of trade-marks for timber dealers, and for the punishment of any person or persons defacing or destroying or fraudulently diverting timber bearing such trade-marks to their own use on Licking river and its tributaries ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876,

Which was granted.

Whereupon the Speaker appointed Mr. Cockrell said committee on the part of the Senate.

A message was received from the House of Representatives requesting the appointment of a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the C. T. Rice Cemetery Company near Union, in Boone county,

Which was granted.

Whereupon the Speaker appointed Mr. Poyntz said committee on the part of the Senate.

After a short time Mr. Poyntz, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Poyntz moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Conner proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend an act to provide for the election of and in part define the duties of a mayor, board of councilmen and school trustees of the city of Frankfort, and to provide for the establishment of a board of commissioners to control the police and fire departments thereof, and define their duties, approved April 30, 1888,

Which was granted.

Whereupon the Speaker appointed Mr. Lindsay said committee on the part of the Senate.

After a short time Mr. Lindsay, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Lindsay moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said as also the vote ordering it to a third reading were then reconsidered.

On motion of Mr. Lindsay—

Ordered, That said bill be recommitted to the Committee on General Statutes.

Mr. Kemp was appointed a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of W. M. Howard, of Laurel county.

Mr. Glenn, from the Committee on Agriculture and Manufactures, to whom was referred leave to bring in a bill, entitled

An act amending section 7, article 5, chapter 92, of the General Statutes, entitled "Revenue and Taxation,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

On motion of Mr. Wortham—

Ordered, That said bill be recommitted to the Committee on Revenue and Taxation, with leave to report the same back to the Senate at any time.

Mr. McCann, from the Committee on Courts of Justice, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to create the office-commissioner of bonds for the city of Louisville,"

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act to encourage arboriculture in this Commonwealth,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. It shall be the duty of the trustees of each common school district to assemble the pupils of the common school on Arbor Day in the school-house or elsewhere, as they may judge proper, for the purpose of receiving such instruction and observing such exercises as shall encourage the planting and preservation of trees and shrubs in the school district.

§ 2. On said Arbor Day the board of trustees of each common school district shall cause to be set out and properly protected ten or more shade-trees whenever needed in the school-house site belonging to the district, and whatever expenses, if any, may be incurred thereby shall be paid out of the tax assessed for the contingent expenses of the school.

§ 3. The Superintendent of Public Instruction shall prepare and publish, as may, in his judgment, be required, a course of exercises and instruction on the subjects hereinbefore mentioned, which shall be duly observed by the trustees, teacher and pupils of each school district on Arbor Day.

§ 4. It shall be the duty of each county superintendent, on visiting the common schools of his county, to keep due record of the observance or neglect of the requirements of this act by

the board of trustees for each school district; and, in any case of neglect in any school district, to enjoin its board of trustees to compensate, as far as may be practicable, for such neglect on the following Arbor Day. In his annual report to the Superintendent of Public Instruction the county superintendent shall embrace the statistics of arboriculture for his county.

§ 5. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Bills which originated in the House of Representatives of the following titles were reported from the several committees to which they were referred, viz:

By Mr. Bradley, from the Committee on Internal Improvements—

An act to incorporate the Nicholasville Water Works Company.

By Mr. Cockrell, from the Committee on Agriculture and Manufactures--

An act to amend an act, entitled "An act to charter the Leesburg and Silas Meeting house Turnpike Road Company, in Bourbon county.

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act, entitled "An act to incorporate the Flemingsburg and Upper Fox Springs Turnpike, in Fleming county," approved December 15, 1863,

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act for the continuation of the Geological Survey.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1 That for the continuation of the Geological, Topographical and Agricultural Survey of the State, the chemical analyses of soils, coals, ores and other substances ; the collecting of and testing of coals, clays, building stones, ores and other substances, there is hereby appropriated, from any money in the State Treasury not otherwise appropriated, the sum of fifteen thousand dollars per annum, to be expended in the same manner as provided in chapter 877 of Session Acts 1883-4, except that nothing herein shall be construed to appropriate money for an immigration bureau, or for any purpose except for a Geological, Topographical and Agricultural Survey of the State ; chemical analyses of soils, coals, ores and other substances ; the collecting of and testing of coals, clays, building stones, ores and other substances.

§ 2. That the Governor is hereby authorized and required to appoint a State Geologist, who shall, by and with the consent of the Governor, appoint suitable assistants for such time as their services may be required : *Provided*, That the Geologist shall not receive more than ten dollars per day during such time as he may be in actual service, and the compensation received by said State Geologist shall not exceed in amount two thousand dollars per annum : *And further provided*, That before any money herein appropriated is paid upon the order of the State Geologist and the approval of the Governor, said Geologist shall execute bond in the sum of twenty thousand dollars to the Commonwealth of Kentucky, and good and sufficient surety, to be approved by the Governor, for the lawful discharge of his duties, which bond shall be attested by the Secretary of State, and filed in his office.

§ 3. The Governor shall have power to remove any of the persons appointed under this act for negligence or incompetency, or any other cause which he may deem sufficient for such removal, and appoint others in their stead.

§ 4. That the Governor shall have authority to direct that the work be prosecuted in a manner as will, in his judgment, give alike to all portions of the State the benefits of the Survey.

§ 5. That neither the State Geologist nor his assistants shall have any interest in mineral lands in this State, nor in any real estate agency, nor in any speculation developed in the exercise of their official duties.

§ 6. That it shall be the duty of the State Librarian to furnish the office of the Geological Survey with all necessary stationery for the use of said Survey.

§ 7. That the reports and publications of the Survey, when approved by the Governor, shall be printed by the Public Printer at the same charges and upon the same terms as similar work is done for the State : *Provided*, That any money received from sale of publications as provided in chapter 877 of Session Acts

1883-4 shall be placed in the State Treasury to the credit of the general revenue.

§ 8. *Provided*, That the Geological Survey be extended first to the counties in the State which have had no survey, and next to the counties that have had the least survey made.

§ 9. This act shall take effect from and after its passage, and shall repeal all acts and parts of acts in conflict with its provisions, but the foregoing appropriation shall only be for two years.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	J. J. Paul,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	James H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—27.

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp—2.
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Resolved, That the title of said bill be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wortham moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to regulate tolls on gravel roads in Daveiss county,

Which was granted, and said bill was delivered to the messenger.

The Senate, according to order, took up for consideration a joint resolution, which originated in the Senate, entitled

Resolution to provide for exhibition of the wealth, resources and progress of the State of Kentucky, at the World's Fair, to be held at Chicago.

(For resolution, see Senate Journal of yesterday.)

Mr. Peterman proposed to amend said resolution as follows, viz :

That of the above sum, \$1,000 is hereby appropriated for the purpose of securing at the World's Fair at Chicago, in 1892, a proper exhibit of the educational products of the common school system of this Commonwealth.

§ 2. That said exhibit shall be under the direction of the Superintendent of Public Instruction, and that all expenses for the proper conduct of said exhibit not to exceed in full the sum of \$1,000 shall be paid on his warrant on the Auditor of Public Accounts, out of any money in the Treasury not otherwise appropriated.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. W. McCain,
W. F. Berry,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	Chas. Patteson,
R. J. Breckinridge,	J. P. Huff,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
F. W. Darby,	J. W. Martin,	A. H. Stewart,
W. W. Dickerson,	D. L. May,	D. W. Wright—23.
Sam E English,	Jas. H. Mulligan,	

Those who voted in the negative, were—

Reuben Conner, J. H. Shearer—2.

Resolved, That the title of said resolution be as aforesaid.

Mr. Mulligan moved to reconsider the vote by which the Senate had adopted said resolution.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend and reform articles 1, 2, 3, 4, 5, 7, 8, 9, 10 and 11 of the common school laws.

Said bill reads as follows, viz :

ARTICLE I.—COMMON SCHOOL SYSTEM.

II.—SCHOOL FUND.

III.—DISTRICT TAXATION.

IV.—GRADED FREE SCHOOLS.

V.—BOARD OF EDUCATION.

VII.—COUNTY SUPERINTENDENT.

VIII.—DISTRICTS.

IX.—DISTRICT TRUSTEES.

X.—TEACHERS.

XI.—TEACHERS' INSTITUTE.

ARTICLE I.—COMMON SCHOOL SYSTEM.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That there shall be throughout the State of Kentucky a uniform system of common schools in accordance with the Constitution of the State and the provisions of this act, and that all laws now existing in conflict with this act are hereby repealed.

§ 2. The object of this chapter is to carry into effect the intention of the people of Kentucky, as expressed in the Constitution, in promoting the establishment throughout the State of a system of common schools which shall be equally accessible to the poor as to the rich.

§ 3. It is therefore declared that no school shall be deemed a "common school" or be entitled to any contribution out of the common school fund unless the same has been, pursuant hereto, actually kept, or is under contract to be kept, by a qualified teacher for not less than five months, during the same school year at which every child residing in the district between the ages of six and twenty years has had the privilege of attending, whether contributing toward defraying the expenses or not, provided that nothing herein shall prevent any person within the district over twenty years of age from attending a common school who will obtain permission from the trustees and pay the required tuition fees. In order that each child of the Commonwealth may enjoy the benefits of a five months' school,

the Superintendent of Public Instruction shall apportion the fund due counties having districts of less than forty-five pupil children as follows: He shall find the difference between the number forty-five and the number of pupil children in each district having less than forty-five such children, and add the sum of all such differences to the whole number of pupil children in the county; he shall divide this result into the total amount due the county from the State fund and interest on the county bond, if any, the result shall constitute the county per capita for that county for the current year; he shall apportion the county per capita of forty-five pupils to each district having forty-five pupils or less, and then pro rate the remaining fund among the pupil children of the districts having more than forty-five children of pupil age: *Provided*, That any fractional balance shall be omitted in computing the said per capita, and that the aggregate of fractional balances shall be credited to the respective counties, and be distributed as the interest on the county surplus bond is now distributed; and that, if any part of the fund apportioned any county be not used for common school purposes, the same shall be returned to the Treasury and placed to the credit of the said county to be distributed in the same manner. But after July 1, 1890, no school shall be deemed a "common school," nor be entitled to any contribution out of the school fund, unless the same has been, pursuant hereto, actually kept, or is under contract to be kept, by a qualified teacher for not less than five months during the same school year, free of expense to every pupil child, as prescribed above. The common schools of all districts having each seventy-five or more pupil children shall be taught only by teachers holding either State diplomas, State certificates or county certificates of the first class. Any trustee who shall employ, or be a party to employing a teacher holding only a county certificate of the second or third-class to teach the school of any district reporting seventy-five or more pupil children, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty dollars.

§ 4. Nothing in the last section shall preclude a school which is kept for a part of the year as a common school, from being kept for the balance of the year as a select or private school, to which none but contributors may have the privilege of sending pupils.

§ 5. The school years shall begin on the first day of July and terminate on the thirtieth day of June.

§ 6. Twenty school days, or days in which teachers are actually employed in the school room, shall constitute a school month in the common schools of the State. Teachers shall only have the benefit of such legal holidays as they actually observe. Six hours of actual work in the school room shall constitute a school day; and under no circumstances shall the daily session, including recesses and intermissions, exceed nine hours in length. When the attendance exceeds fifty, the teacher shall employ, during such attendance, an assistant, whose scholarship and competency shall be acceptable to the trustees; *Provided*, That when the school shall require an assist-

ant to serve regularly, at a salary, for two months or longer, such assistant shall hold a certificate of qualification and be employed by the trustees.

§ 7. All pupils who may be admitted to common schools, shall comply with the regulations established in pursuance of law for the government of such schools. Wilful disobedience or defiance of the authority of the teacher, habitual profanity or vulgarity, or other gross violation of propriety or law, shall constitute good cause for suspension or expulsion from school.

§ 8. No books, tracts, papers, catechisms, or other publications of a sectarian, infidel or immoral character, shall be used or distributed in any common school, nor shall any sectarian, infidel or immoral doctrine be taught therein.

§ 9. Whenever a pupil of any common school shall have faithfully completed the prescribed course of study, and passed a proper examination before the county board of examiners on a series of questions prescribed by the State Board of Examiners, he shall be entitled to a certificate to that effect, signed by said county board, and approved by the Superintendent of Public Instruction, who shall affix thereto his official seal. The Superintendent shall prepare a proper form for said certificate. One such examination shall be held in each county on the first Thursday in April, and another on the last Thursday in June of each year.

ARTICLE II.—*School Fund.*

§ 1. The school fund shall consist of the fund dedicated by the Constitution and laws of this Commonwealth for the purpose of sustaining a system of common schools therein :

(1.) The interest on the bond of the Commonwealth, for \$1,327,000, in aid of common schools, at the rate of six per cent. per annum, payable on the first day of January and of July of each year.

(2.) The dividends on seven hundred and thirty-five shares of the capital stock of the Bank of Kentucky, representing a par value of seventy-three thousand five hundred dollars, owned by the State.

(3.) The interest on the bond issued for surplus, due the counties by the State, at the rate of six per cent. per annum, payable on the first day of January and of July of each year.

(4.) The annual State tax of twenty-two cents upon each one hundred dollars of value of all real and personal estate directed to be assessed for taxation.

(5.) Twenty-two forty-sevenths of the special taxes derived from banks and other institutions of loan and discount, and from all other corporations required by law to be taxed.

(6.) Twenty-two forty-sevenths of all revenue received from licenses, and from fines and forfeitures.

§ 2. The foregoing shall constitute the annual resources of the school fund of Kentucky, and shall be paid into the Treasury, and shall not be drawn out or appropriated except as provided by this chapter in aid of common schools.

§ 3. Hereafter, except as otherwise expressly provided in this chapter, no part of the common school fund, or of the revenue thereof, shall be used for any other purpose than the payment of teachers of common schools, legally qualified and employed in pursuance hereof, and the contingent expenses of the department of public instruction.

§ 4. The Auditor shall keep the accounts in relation to this fund. He shall, once in each month, make a transfer to the credit of said fund of all receipts into the Treasury for the benefit of the common schools up to the end of the preceding month. He shall allow no expenditures on that account beyond the annual revenue of the fund, and shall see that no county draws more than its proper proportion.

§ 5. The net revenue of the fund accruing during each school year, after the payment of whatever expenses may be incurred according to law by the Board of Education, or by special acts of legislation, shall constitute the sum to be distributed. But no fees to county judges or clerks, discount on checks, or other incidental expenses, shall be paid out of the distributable share of the revenue apportioned to any county, but such payment shall be made out of the county levy.

§ 6. The Superintendent of Public Instruction shall, on or before the first day of July in each year, ascertain and estimate for the school year pro rata share each child will be entitled to according to the whole number of such children residing in each county and each school district respectively, as shown by the returns of the county superintendent. If, at the time of making such estimate and apportionment, the census returns of the Superintendent for any county have not been made to him, he shall use the census returns made for the previous year. It shall be the duty of the Auditor to furnish the Superintendent of Public Instruction such data as may be needed in making such estimate and apportionment. It shall be the duty of the Superintendent of Public Instruction, as soon as practicable, to file a copy of said estimate and apportionment with the Auditor, and to inform each county superintendent of the amount to which each school district of his county will be entitled. Whatever difference may exist between the estimated and the actual revenue of the school fund for any school year, shall be taken into the account of the estimate and apportionment for the succeeding school year.

§ 7. If, on or before the first day of January next after the termination of each school year, any portion of the revenue of that year previously appointed to any county be not required for common school purposes, the same shall remain in the Treasury to the credit of the county in which such district is situated, to be distributed the next year by the Superintendent of Public Instruction, with the interest on the bond, for the benefit of both the white and the colored schools of said county. A detailed statement of the surplus amount to which each county is entitled shall be made out by the Superintendent of Public Instruction, and filed and preserved in his office. The bonded surplus in the State Treasury to the credit of the counties shall bear interest at the rate of six per cent. per annum, and the per

capita derived from said interest shall be duly apportioned to each county and paid as provided in the following section.

§ 8. That for each school year the Auditor of Public Accounts shall, on the successive warrants of the Superintendent of Public Instruction, distribute the amount of the school fund due each county to its county superintendent of common schools as follows: On or before the first of October, two-fifths of the whole amount; on or before the first of November, one-fifth of the whole amount; on or before the first of December, one-fifth of the whole amount, and on or before the first of January the residue, including the interest and the undistributed surplus of the county surplus bond.

ARTICLE III.—*District Taxation.*

§ 1. In any common school district in the State, in which the clearly-ascertained will of the people shall be in favor of a district tax in aid of the common school therein, the levying of such a tax therein shall be lawful.

§ 2. The will of the people of any district in relation to such a tax therein shall be determined by a vote of the qualified voters thereof, at the time and place and in the manner prescribed in the first section of the eighth article of the school laws for the election of district trustees; and any widow, spinster or alien residing in any school district, who is a tax-payer, or who has children within the ages fixed by the common school laws to be educated, shall be deemed a qualified voter under this act: *Provided*, That previously to the taking of such a vote, printed notices, signed by the county school superintendent of the county in which such district lies, and by the chairman of the trustees of such district, stating the amount and object of the tax proposed to be raised, and the time and place of taking the vote, shall have been posted by the chairman for fifteen days, at three or more prominent places in the district: *Provided further*, When lines dividing school districts pass through the lands of any person, dividing the same, the taxes shall be levied and paid to that district where the homestead may be situated.

§ 3. The question of local taxation shall be submitted to the legal voters of the district every school year, on the day and at the hours set apart by law for the election of trustees, after notices shall have been duly posted as above by the chairman of the board, at three or more prominent places in the district, for fifteen days preceding the election: *Provided*, That when the amount, object and length of time are distinctly stated to the voters, the tax may be voted at one election, to continue three successive years. The proceeds of such tax shall be expended for any of the objects herein specified, and for no other object: The extension of the common school for a longer term, the better payment of the teacher thereof, or for the payment of any debt contracted by the trustees for the benefit of the school-house.

§ 4. It shall be the duty of the officers holding the election to open

the poll, and an officer of the election shall propound to each voter who votes the question: "Are you in favor of the tax in aid of common schools in this district?" And his vote shall be recorded for or against said tax as he directs. The officers of the election shall return a fair and true record of the votes taken for and against such a tax, certified and sworn to by themselves, before some officer authorized to administer oaths, to the county school superintendent, if he shall not have presided at the election, or to the county judge if the superintendent shall have presided; and, if it be found that a majority of those voting shall have voted in favor of such district tax, such facts shall be certified to the parties concerned, and it shall be the duty of the county school superintendent of the county to furnish the collector with the boundary of the district, and said collector shall collect said district tax.

§ 5. That the board of trustees may appoint a collector of district taxes, who shall have power to collect by distraint as sheriffs are now empowered to collect the State revenue; but the said collector shall not be allowed over six per cent. He shall be required to give bond for the faithful performance of his duties, and shall make settlement with the board of trustees. The duties prescribed for the sheriff in regard to the State revenue shall be complied with by said collector.

§ 6. The money thus raised shall be accounted for and paid over by the collector within two months after it has been voted, or subsequently upon the order of the trustees.

§ 7. The money thus raised and paid to the county superintendent shall be paid out on the order of the trustees, and the county superintendent shall be responsible on his bond therefor.

§ 8. The chairman shall make settlement with the county superintendent for the money thus received at the time of making his report to the said county superintendent, as required by the fourteenth section of the ninth article of this act, and shall show by vouchers how the money has been disbursed; and should the said county superintendent discover any fraud or misappropriation of funds on the part of said trustees, it shall be his duty to proceed against him, as authorized by the sixteenth section of the ninth article of this act.

§ 9. The county superintendent shall, in making his annual report to the Superintendent of Public Instruction of the schools taught in his county, make report also of the amount of money thus raised, and the manner in which it has been appropriated.

§ 10. The tax allowed under the foregoing sections shall not exceed twenty-five cents in any one year, on the hundred dollars' worth of taxable property in the district.

§ 11. The provisions of the foregoing sections shall apply to all cities and towns reporting as one district, which have not now the privilege of levying a special school tax.

§ 12. All taxes for school purposes, of every kind, shall be based upon the last county assessment for revenue purposes.

ARTICLE IV.—*Graded Common Schools.*

§ 1. That it shall be the duty of the county judge in each county of this Commonwealth, upon a written petition, signed by at least ten legal voters, who are tax-payers in any civil district, town or city in his county, to make an order on his order book, at the next regular term of his court after he receives said petition, fixing the boundary of any proposed graded common school district, as agreed on by the county judge and the petitioners, and directing the sheriff, or other officer whose duty it may be to hold the election, to open a poll in said proposed graded common school district, town, or city, at the next regular State, town or city election held therein, or on any other day fixed by said judge in said order, for the purpose of taking the sense of the legal white voters in said proposed graded common school district, town or city, upon the proposition "whether or not they will vote an annual tax, in any sum named in said order, not exceeding fifty (50) cents on each one hundred (\$100) dollars of property assessed in said proposed graded common school district, town or city belonging to white persons, or a poll-tax in any sum named therein, not exceeding two (2) dollars on each white male inhabitant over twenty-one (21) years of age, residing in said proposed graded common school district, town or city, or both an ad valorem and poll tax, if so stated in the said order, for the purpose of erecting suitable buildings and maintaining a good graded common school in said proposed graded common school district, town or city, or for the payment of principal and interest on any such bonds not exceeding — dollars (the amount to be named in said order), as the board of trustees of said proposed graded common school district may issue and sell under the provisions of this act, for the purposes aforesaid, not, however, exceeding in amount five per cent. of the taxable property of the district." *Provided*, That the proposition to establish any graded common school district or school, as provided for in this section, is approved in writing on the petition to the county judge, by a majority of the trustees of any common school district, included wholly or partly within the boundary of said proposed graded common school district, and approved in writing on said petition by the county superintendent of common schools: *And provided further*, That no point on the boundary of any proposed graded common school district is over two and one-half miles from the site of its proposed school-house, and the location and site of said school-house in said district are set out with exactness in said petition to the county judge.

§ 2. It shall be the duty of the county court clerk to give to the sheriff, or other officer whose duty it shall be to hold the election mentioned in section 1 of this act, a certified copy of the order of the judge of the county court as it appears in his order-book, within ten days after said order is made.

§ 3. It shall be the duty of the sheriff, or other officer whose duty it may be to hold the election mentioned in section 1 of this act, to have the order of the judge of the county court published in some

weekly or daily paper published in the county, for at least forty days before the election, and also to advertise the same by printed or written hand-bills, posted at five conspicuous places in said proposed graded common school district, town or city, for the same length of time; but if there is no daily or weekly newspaper published in the county, the printed or written hand-bills, posted as before provided for, shall be sufficient notice. The sheriff, or other officer whose duty it shall be to hold the election mentioned in section 1 shall have the advertisement inserted, and notices herein provided for posted, within ten days after he receives the order of the county judge and at least forty days before the election.

§ 4. It shall be the duty of the sheriff, or other officer whose duty it may be to hold the election mentioned in section 1 of this act, to open a poll, and the election officers shall propound to each voter who may vote, the question "Are you in favor of levying an annual tax of — cents (the amount named in the order of the county judge, not to exceed fifty (50) cents) on the one hundred dollars, or a poll tax of — dollars (the amount named in said order not exceeding two dollars) on each white male resident in this graded common school district, town or city (or both the ad valorem and poll tax, if so ordered by said county judge in said order), for the purpose of erecting and furnishing suitable buildings, and maintaining a graded common school in this graded common school district, town or city, or for paying the principal and interest on any such bonds not exceeding — dollars (the amount named in said order), as the trustees of said district, town or city may issue and sell for the purposes aforesaid (not exceeding, however, the sum of fifteen thousand dollars [\$15,000])?" and his vote shall be recorded for or against the same, as he directs. The poll-books shall be returned as other poll-books in said county, and shall be examined and compared by the same officers: *Provided*, That the cost of such school buildings and grounds shall not exceed fifteen thousand dollars (\$15,000).

§ 5. If it shall appear that a majority of the votes cast at the said election were in favor of said tax, then it shall be the duty of the county judge to cause the certificate of the examining board showing the amount of tax voted, the amount for which bonds may be issued, and the names of the six trustees elected, to be entered of record in the order-book of his court, and by and with the assistance of the county superintendent of common schools in said county to organize a graded common school in said district, town or city, in accordance with the provisions of this act.

§ 6. The graded common school districts, when organized as aforesaid, are hereby incorporated, and each of them shall be under the management and control of a board of six trustees, the first board to be elected at the same time and place, and by the same persons who vote at the election for the tax, as provided in sections 1 and 4 of this act; and the six persons receiving the highest number of votes cast shall be declared elected trustees.

§ 7. The persons so elected shall be named and styled "The Board

of Trustees of the ----- Graded Common School District," and in that name may sue and be sued, contract and be contracted with, and, as a natural person, may acquire, hold, dispose of and convey, by purchase, gift, devise or otherwise, any real or personal estate, goods and chattels, necessary and convenient for the uses and purposes of such graded common school; and the title to all such property shall vest in said board of trustees and their successors in office, to be held sacred for the use and benefit of said graded common school district.

§ 8. The trustees thus elected shall be divided by lot into three classes, to hold their office for one, two and three years respectively—that is, the two trustees who shall, by lot, be assigned to the first class, shall hold their offices until the first Saturday in June next after their election, and until their successors have been elected and have qualified; and their successors shall be elected on that day, in the same manner as trustees of common schools are elected, and hold their offices for three years, and until their successors shall have been elected and qualified; and the two trustees assigned by lot to the second class shall hold their offices for two years, or until the first Saturday in June next after the expiration of the term of office of the trustees of the first class, and their successors shall be elected on that day as trustees of common schools are elected, and shall hold their offices for three years, and until their successors have been elected and qualified; and the two trustees assigned by lot to the third class shall hold their offices for three years, or until the first Saturday in June next after the expiration of the term of office of the trustees of the second class, and their successors shall be elected on that day as trustees of common schools are elected, and shall hold their offices for three years, and until their successors shall have been elected and qualified; and after said first election and organization of any graded common school district, there shall be two trustees elected, as aforesaid, on the first Saturday in June of each year, who shall qualify on the first Monday in July next after their election, or as soon thereafter as may be, and hold their offices for the term of three years, and until their successors shall have been elected and have qualified. If, at any time, there should be a vacancy in said board, the same shall be filled, by appointment, by the remaining members, and the person appointed to fill such vacancy shall hold his office until the expiration of the term for which his predecessor was elected or appointed.

§ 9. Said trustees, before entering upon the discharge of their duties, shall each take an oath to faithfully perform the duties required of them under this act.

§ 10. Said trustees may adopt such by-laws and rules for the government of themselves and their appointees, and for the control, government and management of the graded common schools in their respective districts, as they may deem necessary, not inconsistent with the Constitution and laws of this State or of the United States, and shall keep a journal of their proceedings, which shall be open at

all times to the inspection of any citizen of the graded common school district in which he or she may reside.

§ 11. Said trustees shall appoint and employ the principal and all teachers, and fix their compensation, and may suspend or dismiss them, or any other person appointed or employed by them; may prescribe the branches (other than those required by law to be taught in the common schools) which may be taught in said graded common schools, and prescribe the necessary qualifications and the mode of examination of all applicants for positions as principals or teachers in said graded common schools; but no person shall be appointed or employed as principal or teacher in any graded common school organized under the provisions of this act, who is not a person of good moral character, and who has not a county certificate, as required by the common school law of Kentucky.

§ 12. The said trustees shall elect one of their number president, who shall preside at their meetings and perform such other duties as may be required of him; and they may elect a secretary and prescribe his duties. The president and secretary, or either of them, shall make such reports to the county superintendent as are required of common school trustees, and shall publish annually such information as will show the financial condition of the graded common school district, and such other facts as they may deem beneficial to the cause of education in their respective districts.

§ 13. Every white child within the common school ages residing in any graded common school district shall have the right of free admission to all the classes in their respective graded common schools.

§ 14. The trustees may admit into said graded common schools children who do not reside within the said district, or persons over the common school age, or who have advanced beyond the common school studies, on such terms and conditions, and upon the payment of such tuition and other fees as they may deem proper.

§ 15. Said board of trustees shall have power to appoint a treasurer for said graded common school district, who, before entering upon the duties of his office, shall, in the county court, execute bond, with securities approved by the court, running in the name of the Commonwealth of Kentucky, for the use and benefit of the trustees of said graded common school district, conditioned for the faithful performance of his duties under this act. All funds arising from the sale of bonds under this act, and all funds collected for the purpose of defraying the annual expenses of said schools, and for the payment of the principal and interest of said bonds, or for any other purpose, shall go into the hands of said treasurer, who shall, together with his sureties, be responsible therefor. Said treasurer shall pay out said funds only for the purposes for which they were respectively collected, upon the written order of the president and secretary of said board of trustees. The board of trustees shall pay its treasurer such sum for his services as shall be reasonable and just.

§ 16. The county superintendent for common schools shall annually pay to the treasurer of any graded common school district that

may be organized and operating in his county in conformity with this act, the pro rata portion of the per capita of the State and county funds that may be the due of said district, according to the number of pupils therein between the ages of six (6) and twenty (20) years of age, as soon as the same shall come into his hands.

§ 17. Said board of trustees shall provide funds for purchasing suitable grounds and buildings, or for erecting suitable buildings, and for other expenses needful in conducting a good graded common school in their respective graded common school districts; and to this end it shall be the duty of said board of trustees, in their discretion, and they are hereby authorized and empowered to issue the bonds of their respective graded common school districts, in such an amount, not exceeding in the aggregate the amount named in the order of the county judge, and voted for under the provisions of this act, as may be necessary to provide suitable grounds and school buildings and furniture and apparatus (but the amount of the bonds shall not exceed five per cent. of the taxable property of said graded common school district) for any graded common school district. The said bonds may be of any denomination, in even hundreds, not exceeding one thousand dollars each, running not exceeding thirty years, and bearing interest at a rate not exceeding six per cent. per annum, payable annually or semi-annually, as expressed in said bonds, payable to bearer, with interest coupons attached. They shall be signed by the president of said board of trustees, and attested by the secretary thereof, and shall pass by delivery, and shall be redeemable at the option of said board. Said bonds shall be sold by the trustees or their authorized agent, for the highest price obtainable, but not for less than their face par value, and the proceeds paid over to the treasurer and applied to the uses and purposes contemplated in this act.

§ 18. For the purpose of providing a fund for the payment of said bonds, the said trustees shall create a sinking fund from the surplus of each year's taxes, after paying the interest on said bonds, and the legitimate expenses of said graded common schools, which surplus shall be used in purchasing any of said bonds at not above par value, or safely invested by said trustees so as to yield a revenue to pay interest and principal of said bonds at maturity.

§ 19. The board of trustees in any graded common school district where the tax has been voted shall cause to be levied and collected an annual tax, in any sum not exceeding the amount voted for in said district under the provisions of this act, upon each one hundred dollars' worth of taxable property of every kind and character within the limits of said graded common school district belonging to white persons (and shall also cause to be levied annually a capitation or poll-tax in any sum not exceeding the amount voted in said district under this act on each white male citizen residing within the limits of any graded common school district over twenty-one years of age). The board of trustees shall, out of collections under each levy, by order, set apart a sufficient amount to pay interest for the year on any bonds issued, and the Treasurer shall pay same, and in addition

shall, out of the several levies, until entire payment of such bonds, set apart a sufficient amount as a sinking fund, when aggregated, to meet the principal of the bonds at maturity, which sinking fund shall be kept loaned or profitably invested, and shall be used for no other purpose than the payment of principal of such bonds. But if the board so order, it or any part thereof may be used in purchase of such bonds before maturity, except a sufficiency to pay said interest and create said sinking fund. A vote in favor of the tax provided for in this act shall not authorize more than three annual levies of same. But after three annual levies authorized by any vote, another vote for a like number of levies may be had upon like petition and in like manner as hereinbefore provided. In no event, however, shall the board fail to make and cause to be collected and applied a sufficient annual tax to pay such interest and create such sinking fund until the entire bonded debt authorized by a first vote shall have been paid; and this duty shall in no case be affected by result of any vote except the first.

§ 20. The assessments made by the county assessors each year are hereby adopted in all cases as the assessments for graded common school purposes, except as to railroads and other companies or corporations, assessed by the State in some other mode, and in that case the assessment so made by the State, through the Auditor's office or otherwise, is hereby adopted as the assessment of such property for graded common school purposes. If the owner of any property so listed claims that the valuation so made is excessive, he shall have the right to bring the matter before the trustees for correction, if done within thirty (30) days after the assessor returns his lists. The board of trustees shall hear the complaints, and shall make any corrections that seem to them proper, and if any of said assessments seem too low the board may, on their own motion, cite the owners or their agents before them by written notice, and, after hearing same, shall correct the valuation made by the assessor as to them seems just and equitable.

§ 21. The sheriff or collector, if the trustees so direct, shall collect these taxes in the same manner as the State revenue is collected, and shall have the same power and authority in the collection of said taxes as is conferred on sheriffs or revenue collectors of this Commonwealth in the collection of the State revenue. The sheriff shall act under his official bond, but the collector shall execute bond running in the name of the Commonwealth of Kentucky for the use and benefit of the graded common school for which the tax is collectable, with good and sufficient security, to be by said board approved, for the faithful performance of his duties, with the same penalties as are or may be prescribed by law for sheriffs in the collection of said State revenue, and said board shall fix and allow his compensation, but not greater than is allowed by law for collection of State revenue. The said sheriff or collector shall be responsible on his bond for any and all delinquencies as collectors of the State revenue. The tax shall be collected and paid over to the Treasurer by the time and in the manner the State revenue is collected and paid over.

§ 22. The title to all common school property in the limits of any graded common school district, organized under the provisions of this act, shall be, and the same is hereby, vested in the board of trustees of said graded common school district, and they are hereby authorized and empowered to sell and convey the same, or to use the same for graded common school purposes, as to them shall seem best: *Provided*, That said property is within the limits or boundary of said graded common school district.

§ 23. After the first election provided for in this act shall have been held, the tax voted, trustees elected, and the graded common school organized, the board of trustees shall appoint the officers to hold all other elections, which officers shall be under the same responsibilities and subject to the same penalties as the officers holding State or county elections, only they shall make returns of poll-books, and certify the result of the elections to the board of trustees, who shall examine and compare the same, and issue certificates to the persons found to be elected.

§ 24. The provisions of this act shall apply to such graded common school districts as may be applied for and organized by the colored people of this Commonwealth, and such districts and graded schools may be organized by them in all cases, the same as the white districts herein provided for are organized; in that case the word "white," wherever it occurs heretofore in this act, is to be read "colored:" *Provided*, No white person shall vote at any election held by the colored people under the provisions of this act; nor shall the property of any white person be taxed to maintain any colored graded common school; nor shall the property of any colored person be taxed for the benefit of any graded common white school; nor shall any white child attend any colored graded common school organized under the provisions of this act; nor shall any colored child attend any white graded common school.

ARTICLE V.—Board of Education.

§ 1. The Superintendent of Public Instruction, the Secretary of State, the Attorney General, and their successors in office, together with two professional teachers, to be elected by them, shall be a body-politic and corporate, by the name and style of "The Kentucky State Board of Education." The two professional members of the board shall, before entering upon the duties of office, take an oath to perform faithfully such duties in the interest of the Commonwealth.

§ 2. The corporation may take, hold, and dispose of real or personal estate for the benefit of the common schools of the State.

§ 3. The Superintendent of public Instruction shall be president of the board, and with two other members may control its corporate action at any regular or called meeting of the board.

§ 4. The board shall meet only upon the written call of the president. The two professional members shall be allowed their actual expenses incurred in attending such meetings, and in addition thereto

five dollars each for each day of service. Its corporate acts shall be attested by the signature of the president and his private seal shall stand in lieu of a corporate seal. The bonds, certificates of stock, and other evidences of property held by the board for common school purposes, shall be in the custody of the president, and the place of deposit shall be shown by the records of the board.

§ 5. The State Board of Education shall constitute a standing committee, who shall prepare rules, by-laws and regulations for the government of the common schools of the State, which shall be adopted and enforced under the authority and direction of the county school superintendents; shall prescribe and publish a graded course of study for the common schools, specifying the order of studies and the time to be allotted to each, which course of study shall be observed by the teachers and enforced by the trustees; and shall recommend suitable lists of text-books for all the common schools of the State, from which lists, and from none others, the county superintendents of the various counties shall adopt the books to be used in their respective counties, which books shall not be changed oftener than once every seven years: *Provided, however,* That in any district where a list of text books has been legally adopted and is now in use, no change in text-books shall be made in such district in a less time than seven years from the time that list was adopted. Said board of education shall recommend suitable works for district libraries, and such standard works and professional aids for teachers, as they may deem proper, on educational science and the arts of teaching. Any superintendent of a county in which, at the time a legal adoption of text-books has not been made, who shall fail or refuse, within six months after his accession to office, to adopt and to enforce the use of a series of text-books on the subjects included in the common school course, from the lists prescribed by the State Board of Education, shall be subject to a fine of not less than one hundred dollars and not more than two hundred dollars; and upon further refusal, shall forfeit his commission as county superintendent of common schools. Any teacher who shall refuse to use, or shall displace from his or her school, any text-book legally adopted for use in the common schools of the county, shall be fined ten dollars; and for a second offense, shall be subject to a fine in the same sum, and in addition thereto, shall immediately forfeit his or her certificate.

§ 6. The instruction prescribed by the board shall embrace spelling, reading, writing, arithmetic, English grammar, English composition, geography, physiology and hygiene, civil government and United States history, including the History of Kentucky. No teacher shall be required, or under any obligation, to teach any other than the above common school branches in the common schools, unless it shall be so specified in a written contract with the trustees.

§ 7. It shall be the duty of each county superintendent before the opening of the schools each year, and from time to time, by personal observation and from trustees, teachers and otherwise, to ascertain the number and cost of text-books upon each of the common

school branches needed by the indigent children of each district and of the county, for use in the common schools; to make requisitions upon the county judge, payable out of the county levy, for the money necessary to purchase the said text-books, not to exceed in the aggregate one hundred dollars per annum; and to purchase and supply the same to the said indigent children. It is hereby made the special duty of the county and the city school superintendents, and the trustees of common schools, to report to the county judge the names of all such indigent children within their knowledge, and to see that the provisions of this section are faithfully executed.

§ 8. County superintendents and trustees of common schools shall report facts additional to those now required to be reported, whenever, in the judgment of the board, the interest of the cause of common schools in the State shall indicate the necessity thereof.

§ 9. The board shall have power to organize and keep in existence a State Teachers' Association, to be composed of the members of the board, all the officers and teachers connected with the common schools throughout the State, the professors and instructors of academies, colleges and universities, all officers and teachers connected with public free schools in any city or town in the Commonwealth, together with such other teachers and friends of popular education as the board of education may invite to become members of such organization, for the purpose of promoting the cause of common schools in the State. The association shall elect its officers, and adopt by-laws and rules for its own government.

ARTICLE VII.—County Superintendent.

§ 1. There shall be a county superintendent of common schools in each of the counties of the State, who shall be possessed of moral character and ability to manage the common school interests of the county efficiently. He shall possess a good English education, and shall be competent to examine the teachers who shall apply to teach the common schools in the county, and to certify the same correctly. A person to be eligible to the office of county superintendent shall be twenty-four years old at the time of qualifying, a citizen of the United States, shall have resided two years next preceding the election in this State, and one year in the county for which he or she is a candidate, and after July 1, 1891, shall have had two years experience either as a teacher or as a county or a city superintendent.

§ 2. The county superintendent shall be elected by the qualified voters of each county at the regular August election in 1890, and every four years thereafter; and for that purpose a poll shall be opened at the election held, and the result certified at the same time and place, and by the same officers and in the same way the election for sheriff of the county is held. And the officers who examine the polls shall make out and deliver a certificate of the election to the person so elected, and another copy to the judge of the county court, who shall cause the same to be recorded, a copy of which shall be

made out by the clerk and transmitted to the Superintendent of Public Instruction within ten days after the election.

§ 3. The county superintendents elected and qualified under this act shall hold their offices for four years, or until their successors are elected and qualified.

§ 4. No person shall be eligible to the office of county superintendent unless he shall have first obtained from the State Board of Examiners a certificate of qualification of the grade of a county certificate of the first class, which may be granted on an examination held before said board, or upon a written examination held by the county judge, county clerk, and a competent person selected by them, upon a series of questions prepared and forwarded, under seal, by the State Board of Examiners. The State Board of Examiners shall inclose the questions upon each subject in a separate envelope, with the name of the subject plainly printed or written thereon; shall securely seal the envelopes containing the said questions, and inclose them in a larger envelope, which shall be sealed and forwarded by registered mail to the county clerk, and shall be kept under seal by him till the hour of examination; and the seal shall then be inspected by the other examiners and the applicants for certificates, and be duly opened in their presence. In case of sickness or other disability of either the county judge or county clerk, his duties herein prescribed shall devolve upon, and be performed by, the county attorney. The examinations shall be held in every county of the State on the first Saturday in May next preceding the election of county superintendent; and the written answers of each examination shall be immediately forwarded by the county judge or county clerk, by registered mail, to the State Board of Examiners, together with a fee of three dollars and the sworn statements of the county judge, county clerk and the person selected by them, that the examination had been conducted in their presence in strict accordance with the provisions of this section, and that no applicant had, directly or indirectly, received assistance. The State Board of Examiners may, if they deem the answers and the testimonials of moral character sufficient, grant a certificate; and if they refuse it, shall notify the county clerk, and no certificate can then be granted the said applicant for the election then pending. The said certificate shall not entitle the holder thereof to teach in the common schools. The person selected by the county judge and the county clerk shall receive for his services a reasonable compensation, to be allowed by the county court of claims.

§ 5. No county judge, justice of the peace, circuit clerk, county clerk, county attorney, county surveyor, sheriff, coroner, assessor, trustee of a common school district, or teacher while engaged in teaching, shall hold the office of county superintendent of common schools.

§ 6. On or before the first Monday in September, 1888, each county superintendent must enter into covenant, before the county court of his county, to the Commonwealth of Kentucky, with sufficient security, in not less than the full amount of the school fund that may be due the county for that entire school year, to be approved by

the court, for the faithful discharge of his duties, and the said bond shall be renewed for each successive year.

§ 7. The county superintendent shall have power, previous to the first day of April of each year, to lay off, alter, abolish or consolidate districts, and if necessary may lay off anew the districts throughout the county. He shall condemn any school-house which is dilapidated, unhealthy, or otherwise unfit to be occupied for the purpose of a common school, and shall notify the trustees thereof in writing. He shall, at least once a year, make an official visit to each district school of his county, but shall not make more than two such official visits in any one day. At the time of such visit he shall note in a book, to be kept for that purpose, the number of pupils in attendance; the number absent, and the cause of absence; the names of children unable to purchase books; the condition of the school-house, grounds and appurtenances; the qualification and efficiency of the teacher; the conduct and standing of the pupils; the method of instruction; the discipline and government of the school, and the condition of the teacher's register. In the visits to the schools he shall advise with the teachers, and give them such instruction regarding discipline and teaching as he may deem necessary; he shall counsel the trustees, and see that they discharge their duties, especially in securing full and regular attendance; and by every means in his power strive to promote and advance the cause of common schools.

§ 8. It shall be the duty of each county superintendent, on or before the first day of June of each year, to prepare, mail to, and cause to be placed in the hands of the Superintendent of Public Instruction a report, certified by the county judge or clerk as having been sworn to by him, showing the whole number of children between the ages of six and twenty years residing in his county, and the whole number residing in each district, described by its number; and he shall be individually responsible to the teacher for any loss sustained by said teacher by reason of any error made by the said superintendent in reporting the census of the district. He shall base his report upon the census taken during the month of April, and reports thereof made to him by the district trustees. If such reports are not in from any district by the tenth day of May, the county superintendent shall use the last census returns of such district.

§ 9. That each county superintendent of common schools shall on the first Saturday in October, reckoning school months of twenty days, pay the amount due each teacher of a common school for the month or months completed, but not for any fraction of a month, on the certificate of the board of trustees for the district that the school has been legally taught for that period; and, thereafter, the county superintendent shall, on the first Saturday of each calendar month, if demand for payment be made, pay the salary due each teacher of a common school for the previous school month or months not previously paid for, on the certificate of the board of trustees for the district that the school had been legally taught for the period specified: *Provided*, That the last payment shall be for the entire balance

due the teacher, including the interest and the undistributed surplus of the county surplus bond; and that any teacher who may violate his contract with the trustees by refusing to continue his school, shall forfeit any fractional salary that may be due him. In cities or towns organized as one district, and reporting direct to the Superintendent of Public Instruction, the provisions of this section shall equally apply, or may report for the whole amount due said city or town in January, if they desire it. In either case the president or chairman of the school board of such cities or towns shall make the report required of them by this act, under oath, direct to the Superintendent of Public Instruction, and he shall draw his warrant on the Auditor of Public Accounts in favor of the treasurer of such school board, which, when approved and countersigned by the Superintendent of Public Instruction, shall entitle such treasurer to a warrant on the Treasury of the State for the amount thereof; and the said treasurer and his securities shall be accountable for the same upon his official bond in any action by such school board, of which the Superintendent of Public Instruction shall be officially satisfied.

§ 10. Any county superintendent who shall knowingly and willfully report to the Superintendent of Public Instruction a number of common schools as having been taught in his county greater than the number of such schools actually taught therein according to law, or a number of children entitled to tuition in his county greater than the actual number of such children therein, or otherwise knowingly and willfully misstate any fact or facts which he is, or may be hereafter, required by law to report to the Superintendent of Public Instruction, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, on indictment in the circuit court, be fined in a sum not less than two hundred nor more than five hundred dollars, or imprisoned in the county jail not longer than six months, or both so fined and imprisoned, in the discretion of the jury.

§ 11. Each county superintendent shall, on or before the first day of February, annually, after this act goes into effect, settle his accounts for such school year, as far as the districts may have been taught out and paid, with the county judge of his county, and forward a copy of said settlement, certified by the clerk of the said court to be correct, to the Superintendent of Public Instruction. If said settlement at said time does not include a full settlement for all money drawn and paid to said county superintendent, then on or before the first day of August succeeding the termination of each school year he shall make a supplementary settlement for the balance not before accounted for in a similar manner as hereinbefore provided for in this section. Said settlement shall embrace all sums received since the date of the last settlement by the said county superintendent for the benefit of common schools taught during the school year; a full statement of all such sums paid out by him, for what, to whom, and when paid; and should any part of said fund received by him as aforesaid remain uncalled for and not paid out and will not be called for, he shall immediately refund said amount to the State Treasurer,

stating at the same time why it was not called for, and to what district it belongs, and at the same time notify the Superintendent of Public Instruction that he has refunded the said amount, that he may give said county superintendent proper credit on his books for said amount refunded; and fifty per cent. of his compensation shall be retained until such settlement is filed with the Superintendent of Public Instruction. The receipt of the Auditor for money refunded shall be a sufficient voucher with the county judge in said settlement. Should the copy of such settlement fail to reach the Superintendent of Public Instruction by the tenth day of that month, it shall be his duty to notify the county judge and the delinquent county superintendent of the fact; and upon receiving such notification it shall be the duty of the judge, in case the settlement shall not have been made, to compel immediate settlement by attachment, and a copy thereof to be forwarded to the Superintendent of Public Instruction. For his willful failure to pay out to those entitled thereto any money in his hands for the space of ninety days after the same shall be received by him, or for his willful failure to make the aforesaid settlement by the time required by law, the county superintendent shall be guilty of a misdemeanor, and, being indicted and convicted thereof, he shall be fined in a sum not less than one hundred nor more than five hundred dollars, as well as remain liable on his official bond, and be removed from office.

§ 12. He shall, previously to the first day of September, prepare and mail, and cause to be placed in the hands of the Superintendent of Public Instruction his official report, showing in tables of details and aggregates, the school districts of his county by number; the districts in which schools were taught, and the length of time taught, and those in which no schools were taught; the highest, lowest and average number of children at school; the cost of tuition of each child for the session and per month; the number of private schools, academies and colleges taught in the county, and the length of sessions of the same; the number of teachers employed—male, female and total—for the common school; the average wages of male teachers, female teachers, and of total teachers per month; the amount of money raised for common school purposes in the county, by local tax or otherwise, and for what the same was disbursed; the number and kind of school houses and the value of each; the number of school houses built, and value of each; the number of district libraries, and the number of volumes in each, and the increase during the year; the amount he has received for official compensation and expenses. For wilful failure to be present at his office at the time appointed to receive reports, or for wilfully failing to make the report herein required, he shall be fined a sum of not exceeding fifty dollars.

§ 13. Each county superintendent shall keep a detailed account of all money received and distributed by him, a record of all business transacted by him as county superintendent, together with the reports of the trustees, the names, numbers and description of school districts, and all other papers and documents connected with his office, at all

times subject to inspection and examination by any school officer or other person interested in any question pertaining to the common schools.

§ 14. Any devise, gift or donation of any real or personal estate in aid of the common schools of any county of this State, shall be held in trust by the county superintendent; and he shall be required to make settlement in regard thereto, in the same manner in which, and at the time when he makes settlement in regard to the moneys received from the revenue of the school fund; and he shall send a copy of such settlement to the Superintendent of Public Instruction.

§ 15. A county superintendent may administer the oath required of a trustee or of a teacher of common schools, or of other persons required to make oath in matters relating thereto.

§ 16. He shall attend at his office on the second Saturday in June, 1890, and on the second Saturday of May in each year thereafter to administer the oath of office to trustees elect; but it shall be lawful for any justice of the peace or other person authorized to administer oaths, to administer the oath of office to any trustee, but said oath shall not be valid unless reported in writing to the county superintendent by said justice or other person, within ten days from the time when administered. He shall make a record of the names of trustees then qualified, showing the districts in which they were elected, and the post-office of each. He shall at that time deliver to the trustees of each district such blanks as they will need for the coming school year, and give such information with regard to their duties as may be requested. He shall address all official correspondence to the trustees. Notice to them shall be regarded as notice to the people of the district, and it shall be the duty of the trustees to notify the people.

§ 17. It shall be the duty of the county superintendent to be in attendance at his office, at the county seat, on the first Saturday of each month, and at such other times as may be necessary to transact his official business.

§ 18. In cases of controverted right to the office of trustee, the county superintendent is empowered to recognize a trustee from among the contestants until the dispute has been settled.

§ 19. It shall be his duty to conduct or superintend in person, the examination of all persons offering themselves for positions as teachers of the common schools of his county (except in cities and towns organized as one district by special acts of the General Assembly), in regard to their moral character, learning and ability to teach and manage said schools; and he shall give a certificate of qualification to no teacher whom he has not personally and sufficiently examined, or who has not been sufficiently examined in his presence, as hereinafter provided for; and for any violation of the above specified duties, he shall be liable to a fine of not less than twenty nor more than fifty dollars.

§ 20. The county superintendent shall pay the teachers, personally, their salaries upon the certificate of the trustees that the school had been taught.

§ 21. No county superintendent shall be allowed to buy for himself or another any teacher's claim, directly or indirectly, or to act as agent for the sale of any text-book, under the penalty of removal from office by the Superintendent of Public Instruction.

§ 22. That for incompetency, neglect of duty, immoral conduct, or other disqualification, the county superintendent may suspend or remove any teacher or trustee from office, except in cities or towns organized as one district; and when from such cause, or from death, resignation, or any other cause, a vacancy in any one of the above-named offices occurs, it shall be the duty of the county superintendent to proceed, within ten days after such vacancy occurs, or as soon thereafter as practicable, to supply the same by appointment.

§ 23. The county superintendent shall decide all questions of difference or doubt having reference to the interests of common schools in his county; but appeals from his acts and decisions may be had, on petition of any interested person, to the Superintendent of Public Instruction. The county superintendents shall conform to such reasonable rules and requirements as the Superintendent of Public Instruction shall, from time to time, prescribe and announce to them.

§ 24. For all the services rendered and the expenses incurred by the county superintendent under the provisions of this act he shall be allowed a salary, annually, by the court of claims of his county, based on the number of pupil children reported in the census report of the district trustees of such county, which salary shall not be less than ten cents nor more than twenty cents for each pupil child thus reported: *Provided*, The said court shall be satisfied that the said services had been faithfully and efficiently performed according to law. Said salary shall be paid out of the county levy as the salaries of the county judge and the county attorney are now paid; and in his report to the Superintendent of Public Instruction the county superintendent shall state the full amount thus allowed him by the court of claims for his official services: *Provided*, That no superintendent shall receive a greater salary than fifteen hundred dollars: *And provided further*, That in fixing the salary of the said superintendent no child shall be counted or enumerated who is under an independent or different superintendent than that of the county superintendent.

§ 25. In the case of the death, removal or resignation, or inability of the county superintendent elected, or in the event of a vacancy, or for any other cause, the presiding judge of said county is hereby authorized to appoint a successor, duly qualified according to section 4 of this article, to continue in office until the succeeding annual election, when one shall be elected. Nevertheless, it shall be competent for the county court, at any regular session, to remove a county superintendent for inability, for habitual neglect of duty, or for malfeasance in office. An appeal may be taken from the order of the county court removing the superintendent to the circuit court, and from the circuit court to the Court of Appeals as in civil actions.

§ 26. Each county superintendent, when he resigns, vacates, is removed or goes out of office, shall, within ten days thereafter,

deliver to his successor, or to the county court clerk for him, any money, property, books, effects or papers remaining in his hands as county superintendent, and for failure to do so, shall be fined not less than fifty dollars and not more than one hundred dollars.

§ 27. In case of a defaulting and absconding county superintendent, the Governor, upon information thereof being furnished by the Superintendent of Public Instruction, shall offer a reward, not exceeding in amount \$500, for his arrest and delivery to the jailer of the county from which he absconded.

ARTICLE VIII.—*Districts.*

§ 1. The school districts of the several counties, as at present described and numbered, shall be retained until altered or abolished pursuant to this chapter; but no two districts in the same county shall be known by the same name or number. No change in the boundary of any district shall be made to take effect during the current school year, unless made previous to taking the census for such school year. Nor shall the boundary of any district be changed, unless notice, in writing, be first given to the trustees of other districts to be effected thereby.

§ 2. In order that all districts may, as soon as practicable, be made to contain not less than forty-five pupil children, and in order that the county per capita may not be less than the State per capita, each county superintendent shall, from year to year, as far as practicable, and in accordance with the best educational results, equalize in school population the districts of his county. No district shall include more than one hundred pupil children unless it contains a city, town or village within its limits, or there be established therein a high school, academy or college entitled to a share of the revenue of the common school fund, by virtue of a special charter or of a contract between the trustees of the common school district and the trustees of such institution. Such contract shall expressly provide that all children of pupil age residing within the district shall have the privilege of attending the said high school, academy or college for at least five months during the school year without payment of the tuition fees: *Provided*, That nothing in this act shall be construed to authorize any white person to attend a common school or other institution of learning established for colored children, or any colored person to attend a common school or other institution of learning established for white children. In all cases where the number of such children shall exceed one hundred or fall below forty-five, the county superintendent shall the reason thereof to the Superintendent of public Instruction. The area of no school district shall be more than sixteen square miles, unless it is necessary to enlarge the same so as to include the minimum number of children. Each school-house hereafter erected shall be located as near the center of the district as practicable.

§ 3. The county superintendent shall, in a book kept in his office for that purpose, and subject to public inspection, describe each dis-

trict in his county by its number and boundary, and shall furnish to the trustees of each district a description of the boundary thereof.

§ 4. The county superintendents of two adjoining counties, where the division line intersects a neighborhood whose convenience requires it, may lay off a district composed of parts of both counties. Such district shall be reported, together with its census of pupil children, only as belonging to the county in which the school-house of the same may be situated, by the county superintendent of said county; and he shall make report and draw for the whole district as though it lay entirely within his county. But any county superintendent may reclaim the fractional part of his county lying in the district or districts of another county.

§ 5. When two school districts adjoin it shall be lawful for the children of either of such adjoining districts to be taught in and at such school-house as may be most convenient to them; but in such case their *per capita* or tuition fees shall be paid over to the teacher of that district in which they are taught: *Provided*, The transfer does not shorten the term of the school of the district from which the transfer has been made, and that such transfer does not interfere with the contract between the teacher and the trustees, and that no such change shall be made without the assent of the trustees of both said districts in writing, and of the parents of the children transferred. In case of an agreement of the kind provided for in this section the trustees of the district in which the children were reported shall notify the county superintendent, and he shall deduct the *per capita* or tuition fees of said pupils from the district giving permission, and pay them over to the teacher in the district in which they were taught.

§ 6. When a city, town or village establishes and maintains a system of common schools adequate to the teaching of all the children therein, and which all applying for instruction are permitted to attend free of charge, the same shall be deemed one district, and entitled to its proportion of the school fund. Such city, town or village shall, through its school agents or other officers deputed for that purpose, make its annual report to the county superintendent of the county for the several schools therein, at the time and in a similar manner to that required of the trustees of a district. They shall take the census of the children therein, and make return thereof to such county superintendent as, and at the time, trustees are required to do; and shall, for neglect or violation of their duties in that respect, be liable to the same penalties. The county superintendent shall have no control over the school in such districts, but the same shall be governed in all respects by the local authorities.

§ 7. But this act is not to affect, modify or repeal any local or special law which establishes any city or town in one district, but the same shall be governed in all respects by the local laws and authorities, and it shall in nowise affect the charter and amendments thereto of any city or town in the Commonwealth, so far as said charter and amendments relate to the public schools of said cities and towns; nor

shall this act affect, modify or repeal any local or special laws now in force for the benefit of any school, high school, seminary, college or other institution of learning in this State.

ARTICLE IX.—District Trustees.

§ 1. Each school district shall be under the control of three trustees, who shall be of good moral character, and able to read and write, one of whom shall be elected each year for the term of three years, to fill the place of the trustee going out of office. The election shall be held at the school-house, and if no school-house be in the district, at such convenient place as the trustees may select, from one o'clock till six o'clock P. M., of the first Saturday of June, 1890, and on the first Saturday of May each year thereafter, notice thereof having been posted by the trustees at three of the most public places in the district for ten days immediately preceding the day of election. At this election, the qualified voters of the district shall be the electors, and any widow having a child between six and twenty years of age may also vote. No person except the county superintendent of common schools, or a resident of the district, shall act as judge of that election. The judge, if not a county superintendent, shall be appointed by the county superintendent; and if the person so appointed from any cause fail to act, then a majority of the voters present at the time for opening the polls shall elect a judge. The judge of the election shall give the casting vote in case of a tie, provided he has not theretofore voted, and give a certificate of election to the person elected, signed by himself; and report the trustee thus elected, in writing, to the county superintendent of the county within five days after the day of election. In case of a tie in which the judge has voted, then he shall certify the fact of a tie to the county superintendent, and the county superintendent shall select from the persons who are tied the trustee, and give him a certificate, and the trustee so selected shall act until his successor is duly qualified. The trustee so elected shall hold office for three years from the day of his qualification, and until his successor is duly elected or appointed and qualified. Any two of the trustees may constitute a quorum to transact the business pertaining to their office. The trustee having the shortest time to serve shall be chairman of the board of trustees, whose duty it shall be to preside at all its meetings, and to make the reports, and to perform all other such acts and duties as required by law of trustees; and in case of neglect or non-performance of duty, the one so remiss of duty shall be subject to like fines and penalties as imposed by law on trustees for neglect of duty or other violations of the law. This act shall in nowise impair the tenure of office by the trustees who have been duly elected or appointed under the present school law.

§ 2. Any person who may be chosen to preside over the election of a school trustee in any school district in this Commonwealth who shall knowingly and with intent to commit a fraud receive and count

any illegal vote, or issue a certificate of election to any person not entitled thereto, or shall refuse to issue such certificate to any one duly elected, or who shall fail for five days after the election to report the name of the person thus elected trustee to the county superintendent; any person who shall, with fraudulent intent, deface, mutilate or destroy the records of any such election, shall be fined the sum of fifty dollars for every such offense, or be confined for twenty days in the county jail in default of the payment of such fine, and it shall be the duty of the county superintendent to report such offenses to the grand jury.

§ 3. If from a failure to qualify according to law, or from any other cause, there be a vacancy in the office of trustee, the county superintendent of the county shall supply the same by his appointment, in writing, and the trustee so appointed shall hold his office until the next general election for trustees, or until his successor be elected and qualified.

§ 4. They and their successors shall be a body-politic and corporate, with perpetual succession, by the name of the trustees for their school district; and as such may sue and be sued, take, hold and dispose of real and personal estate for the maintenance, use and benefit of the common school of their district, and receive and enforce payments of subscriptions for the like purpose. Their private seals or scrolls shall stand in lieu of a corporate seal. In the acquisition of land as a site for a school-house, the title thereof shall be made in fee-simple to the trustees, and the titles to lands now used as sites for school-houses shall at the earliest possible time be perfected by the trustees and the county superintendent. Any reversionary interest in any land now used as a site for a school-house shall not forfeit to the school district the school-house or other improvements thereon.

§ 5. The Superintendent of Public Instruction shall, through the county superintendents, furnish the chairman of each board of trustees with a trustees' record book, which shall be the property of the State, shall be well preserved, shall be open at all times to public inspection, especially by the trustees and county superintendent, and at the expiration of the chairman's term shall be turned over to his successor. In the said book the chairman of the board of trustees shall, with pen and ink, keep a careful record of the following facts: The name, number and boundary of the district; names of the trustees, and when each was elected or appointed and qualified; the time for which each shall serve; each annual census as reported to the county superintendent; any changes of boundary of the district; the dates and number of the visits of trustees to the school; a copy of the contract with the teacher, and the grade of his certificate; each district election, with the time and purpose and names of its officers; each meeting of the trustees, with the purpose thereof, and the business transacted; the beginning and close of the school term, with the holidays and vacations therein; the money received, with the sources thereof, and for what the same has been disbursed; and such other facts as the county superintendent or Superintendent of Public Instruction may require.

§ 6. The trustees, with the consent of the county superintendent, may take land, by purchase or donation, for the purpose of creating thereon a school-house, provide for and secure the erection of the same, construct such out-buildings and inclosures as shall be conducive to the protection of the property and the comfort and decency of the pupils and teachers, make repairs, and provide the necessary furniture and apparatus. They shall have power to recover for any damages that may be done the property in their charge; and they may change the location of the school-house, sell or dispose of the old site, and use the proceeds thereof towards procuring a new one. If they can not agree with the owner of any land most suitable for a school-house site as to the price and terms of purchase and sale thereof, they shall apply to the judge of the county court by petition, in which they shall set forth by metes and bounds the land they seek to condemn, and the county court shall issue a writ of *ad quod damnum*, directed to the sheriff to be executed and returned to said court, as in case of condemning lands for the use of railroad and turnpike companies; and upon return of said writ, duly executed, and upon the payment in court, for the benefit of the owner, the amount ascertained by the verdict of the jury, the said court shall issue a writ requiring the sheriff to put the trustees in possession of said lot, and cause a deed to the land, by a commissioner, to be made to the trustees and their successors, which deed shall be duly acknowledged and recorded in the office of the clerk of the county court; and, thereupon, the title to said lot shall vest in said trustees and their successors in office: *Provided*. They shall not have the right to condemn any private property, which is used by the owner as a residence, garden, orchard or burying-ground. The quantity of land thus condemned shall in no case exceed one acre. A majority of the school electors of any district may appeal from the decision of the trustees, in the location of the school-house or site for the same, to the county superintendent of the county, whose decision in the case shall be final. In such location, it shall be made as near as practicable to the center of the district as will be convenient of access to all the inhabitants of the district; and the trustees shall make provisions for such roads or passways to the school-house as will accommodate all the pupils who may be entitled to attend, and may apply to the county court having jurisdiction to open the same, as other road-ways are opened for public necessity and convenience. No toll shall be charged of any pupil child, for travel upon any turnpike road while attending a common school; nor shall such toll be charged of any teacher during the term of his school, for travel between his boarding-house and school.

§ 7. Whenever the county superintendent notifies the trustees that a school-house has been condemned and needs repairing, or that the furniture or apparatus is insufficient, or in any case it becomes necessary to purchase a site to build a new school-house, then the trustees shall order a per capita tax, not exceeding one dollar per school year, for three years, if necessary, on each male in the district over twenty-

one years of age, and a tax not exceeding twenty-five cents on each one hundred dollars' worth of taxable property in the district per school year, for three years, or more if necessary for the purpose, to be collected as similar State taxes are; and such tax shall be applied to the purchase of a site and to the erection and furnishing of a school-house adapted to the wants of said district, or to the equipment of the school-house with furniture or illustrative apparatus: *Provided*, That the aggregate amount of such tax shall not exceed for any one year the sum of two thousand dollars (\$2,000), unless the district is organized as a graded common school district. In all suits arising in the collection of taxes under this chapter, the county attorney shall act as attorney for the trustees, and shall receive for such services such compensation as may be allowed by the county court of claims. Said tax shall be collected by a collector appointed by the trustees, and paid over to the county superintendent, but the said collector shall not receive for his services more than six per cent. of the amount collected. The amount collected from said district shall be paid out on the order of the trustees; and the county superintendent shall be under his bond for the proper disbursement of all such funds. If the trustees of any common school district fail, for the period of six months after the building of the school-house has been properly ordered, to have a good and sufficient school-house in their district, equipped with the furniture and apparatus herein prescribed, the county superintendent shall report such failure to the grand jury at its next meeting, who shall indict the said trustees for such failure, and, upon conviction, each of said trustees shall be fined not less twenty-five dollars, unless he can show a good and satisfactory reason to the trial jury for such failure. Each school-house, including the site, furniture and apparatus, shall have a property value of not less than one hundred and fifty dollars. Each school-house hereafter erected shall have a floor space of not less than ten square feet to each pupil child in the district; shall be at least ten feet between floor and ceiling; shall have at least four windows, and one or more fire places, with chimneys made entirely of brick or stone, or a sufficient number of stoves, or other heating apparatus, with safe flues to warm the room in the coldest weather; one or more doors, with locks and keys, which shall be kept during vacations by the chairman of the trustees, who shall be liable for any damages occurring on account of his neglect. The trustees shall furnish each school-house with the following articles of furniture and apparatus, and the teacher shall, at the close of the school of each year, deliver a complete inventory of the said articles to the chairman of the trustees: Teacher's desk and chair; a seat, patent or otherwise, with back for each child, the height of the seat and its back to suit the age of the child—no desk or bench to be made to accommodate not more than two children; writing desks or tables for all pupils studying writing; blackboard space of at least fifty square feet; water stand; gong or call-bell; terrestrial globe; wall-map of the world, wall-map of the United States and wall county map of Kentucky, and such charts upon reading, writing, physiology, etc., as the trustees may select.

§ 8. Unless there are sufficient funds on hand, derived from other sources for the purposes named in this section, the trustees shall annually assess and collect a poll or capitation tax of not more than one dollar per annum on all persons of the district who are entitled to vote for trustee, which shall be collected as other school taxes are collected, the proceeds of which shall be used for providing the school-house with fuel, additional furniture or apparatus, and defraying other necessary expenses incident to the comfortable conduct of the school: *Provided*, Said poll or capitation tax may be discharged under the direction of the trustees, by the party or parties upon whom the same may be levied, by the delivery of wood or coal or suitable furniture or apparatus, in value equal to the tax imposed, or by the performance of such labor as may be necessary.

§ 9. The trustees, in their corporate capacity, at a meeting called for that purpose, shall employ a qualified teacher, agree with him as to compensation, and for good cause, of which he shall be first notified in writing, remove him, subject to the approval of the county superintendent. The contract between the teacher and trustees shall be in writing, signed by the teacher, and at least two of the trustees, or the same shall be null and void. Whenever a teacher is entitled to a payment for having legally taught a common school, it shall be the duty of the trustees of the district to furnish a certificate that the school has been legally taught for the period specified. No person shall be allowed to teach a private or other school in any district school-house unless he be of a good moral character, and have the consent of not less than two of the trustees of the district in which said school is to be taught.

§ 10. During the two weeks preceding the opening of the school, the trustees shall visit all the parents of pupil children, and urge upon them the necessity of prompt and regular attendance at school. They shall make careful inquiry as to whether any children are unable to purchase the necessary books, and immediately report the names of all such children to the county superintendent only. During the progress of the school, the trustees shall ascertain the causes of all non-attendance of children, and shall remove such causes, if practicable.

§ 11. The board of trustees shall meet at the school-house on the day of opening the school, and at the same place at least once a month thereafter during the session of the school. At each meeting they shall carefully examine the teacher's register, and shall consider: (1.) The condition of the school-house, furniture, apparatus and surroundings. (2.) The work of the teacher and of the school. (3.) The attendance and how to increase it. (4.) The needs of the school, such as fuel, brooms, buckets, crayons, desks, blackboards, books, etc. They shall provide for any deficiency that may exist in any of these respects, and see that the regulations for the government of the school are complied with, and that the teacher performs his duty. Upon complaint of the teacher, in writing, the trustees shall have power, after investigation, to suspend a pupil or expel him from

school. When the trustees shall ascertain, by examining the teacher's register or monthly report, that the average daily attendance for twenty consecutive days taught has been less than twenty per cent. of the total number of pupil children of the district, as shown by the last census, they may, with the consent of the county superintendent, dismiss the teacher, and employ another teacher to complete the session of the school.

§ 12. When any family shall have any infectious or contagious disease, no member of such family shall attend any school until the trustees thereof shall allow them to do so.

§ 13. It shall be the duty of the trustees of each district annually, during the month of April, to take an exact census of all the children then residing in such district, who will be, on the first day of July following, between the ages of six and twenty years, and on or before the first day of May, report a list of the same to the county superintendent, specifying the name, age, sex and names of the parents or guardians of each child. Should said trustees willfully add to the list the names of persons not entitled to be placed on same, or otherwise knowingly make a false list, such person thus offending shall, in addition to being liable to punishment for the crime of perjury, be subject to a fine of not less than fifty dollars; and should any other school officer be a party to such fraudulent lists, or any way aid in the commission of such fraud, he shall be liable to the same punishment. For a failure to take such census, and report the same within the time and in the manner herein required, the trustees shall be liable to a fine of not less than twenty dollars; and said trustees shall not take the census of any children who have recently removed into the district, and who had been previously reported in the census of pupil children for the year in the district from which they have removed, but any pupil child who may not have been reported in the district in which he resides, may attend the common school without payment; and at the same time the foregoing census is taken, the trustees shall make and report upon separate sheets provided for that purpose by the Superintendent of Public Instruction, a list of the whole number of persons of ten years and upwards, in their respective districts, who are unable to read. It shall be the duty of the county superintendent to give special instruction to the trustees as to their duties in making the lists of the persons unable to read.

§ 4. At the termination of each school year the trustees shall make a report to the county superintendent, showing, in tables of details and aggregates, the school districts of his county by number, the length of time taught, the highest, lowest and average number of children at school; the cost of tuition of each child for the session and per month; the number of private schools, academies and colleges taught in the district, and length of sessions of the same; the number of teachers employed—male, female and total—for the common school; the wages of male or female teachers; the amount of money raised for common school purposes in the district, by county and district tax or otherwise, and for what the same was disbursed;

the kind and value of school-houses, and the number of volumes in district library, if any; and any other information required of him by the county superintendent touching the school.

§ 15. The chairman of the board of trustees shall sign all reports made by him, and for a failure to make any such report within thirty days after the same is required by law, shall be subject to a fine of twenty dollars, and besides shall be liable to an action for damages by any person injured thereby.

§ 16. No trustee shall be allowed to buy any teacher's claim, directly or indirectly, under the penalty of removal from office by the county superintendent. Any teacher who shall offer or give, directly or indirectly, and any trustee who shall ask or accept, directly or indirectly, either for himself, for another trustee, for the district, the school or the school-house, any valuable consideration other than the services of the teacher, for employing or for being a party to employing any teacher, shall be deemed guilty of bribery, and, upon indictment and conviction thereof, shall be fined as provided by law for the punishment of bribery.

§ 17. For any neglect of duty or misfeasance in office the trustee shall, in addition to being fined as aforesaid, be removed from office by the county superintendent.

§ 18. The chairman of the board of trustees, in consideration of his services, shall be exempt from duty as overseer or a hand upon a public highway, from service as a juror upon inquests or writs of *ad quod damnum*, from militia duty, and from penalty for non-attendance upon his summons as grand or petit juror.

§ 19. If any person who is elected or appointed trustee of a common school under the provisions of this act shall willfully fail or neglect, after having accepted said office, to perform the duties imposed upon him herein, he shall be fined fifty dollars therefor.

§ 20. A trustee, when he resigns, vacates, is removed, or goes out of office, shall, within ten days thereafter, deliver to his successor any money, property, books or papers in his custody as trustee; and for failure herein he may be fined any sum not exceeding fifty dollars; and it shall be the duty of the county superintendent to report all such defaults to the grand jury.

ARTICLE X—Teachers.

§ 1. That there shall be three grades of certificates issued to teachers of common schools: First, a State teacher's diploma; second, a State teacher's certificate, and third, a county certificate. Before any person shall be qualified to teach any common school such person shall obtain one of these three grades of certificates.

§ 2. State diplomas shall be issued by the State Board of Examiners, after a critical personal examination, attaining an average grade of at least ninety per cent., the grade upon no subject being less than eighty per cent., held at the State Capitol on the last Wednesday of June of each year, upon the subjects embraced in the

common school course of study, and also upon the science and art of teaching, psychology, algebra, higher arithmetic, geometry, physics and English literature. In order to be entitled to a State teacher's diploma, the applicant, in addition to passing the required examination, shall be at least twenty-four years old; shall have taught in the State at least two years, and shall present satisfactory evidence of unexceptionable moral character. A State diploma shall be good until revoked by the Superintendent of Public Instruction, or until the holder shall fail for two successive years to be engaged in active school work. It shall qualify the holder for eligibility as a candidate for the office of county superintendent of common schools, and may, for cause, be revoked by any county superintendent so far as it relates to his county, of which immediate information shall be given the Superintendent of Public Instruction. A State diploma shall be impressed with the seal of the State Board of Examiners, and the fee to the applicant shall be five dollars.

§ 4. A State teacher's certificate may be granted by the State Board of Examiners, after a personal examination, attaining an average grade of at least eighty-five per cent., the lowest grade upon any subject being not less than seventy-five per cent., held at the same time and place as provided for the examination for State diplomas, upon the subjects embraced in the common school course of study, and also upon the science and art of teaching, including the elements of psychology, elementary algebra, and higher arithmetic, or upon a written examination upon the same subjects, held in the applicant's county, as hereinafter provided. In order to be entitled to a State certificate, the applicant, in addition to passing the required examination, shall be at least twenty-one years old; shall have had two years' experience in teaching, one year of which shall have been in this State, and shall present satisfactory evidence of unexceptionable moral character. The questions for the examination of applicants for State certificates shall be forwarded by the State Board of Examiners, with the questions for the June and August questions for county examinations, at the same time, in the same package, and be preserved and opened at the same time as the questions for county certificates. The applicants for State certificates shall be examined on the same days upon which the applicants for county certificates are examined, in June and August; and immediately upon the close of the examination for State certificates, the county superintendent shall collect the papers of each applicant for a State certificate, preserve them from all inspection, forward the same by registered mail to the State Board of Examiners. No applicant shall be examined for a State certificate unless the said applicant is known by the county superintendent to possess an unexceptionable moral character, and to possess the age and experience herein required. With the answers as forwarded to the State Board of Examiners, the county superintendent shall inclose a written statement, in proper form, that the examination had been held in strict accordance with the law; that the applicant had not, either directly or indirectly, received any assistance,

and that the moral character of the applicant is unexceptionable. If the answers and statement are deemed sufficient, the Board of Examiners may issue a State certificate, which shall entitle the holder to teach in the common schools of the State for a period of eight years unless revoked by the Superintendent of Public Instruction, or unless the holder shall fail for two successive years to be engaged in active school work. Any county superintendent may, for cause, revoke any State certificate so far as it applies to his county, of which immediate information shall be given the Superintendent of Public Instruction. A State certificate may be impressed with the seal of State Board of Examiners, and the fee to the applicant shall be three dollars, of which fifty cents shall be paid to the county board of examiners, if the examination be held with the county examination. The proceeds of the fees for examinations for State diplomas and State certificates shall be divided between the two members appointed by and acting with the Superintendent of Public Instruction in proportion to the services rendered by them.

§ 4. The county superintendent shall appoint two strictly moral and well-educated persons, who, after June 1, 1891, shall be teachers actively engaged in school work, and holding county certificates of the first class, State certificates or State diplomas, who, together with himself, shall constitute a board of examiners for the county. Before they shall be authorized to grant any certificate said examiners shall take and subscribe an oath that they will faithfully discharge their duties; that they will not grant to any person a certificate until they have fully examined the applicant touching his or her qualifications and fitness to teach as required by the common school law; and the said affidavit shall be filed in the office of the clerk of the county court.

§ 5. County certificates shall be granted by the county board of examiners to persons not under seventeen years, if males, and not under sixteen years, if females, upon written examinations upon the subjects embraced in the common school course, and upon the science and art of teaching held in each county of the State for white teachers upon the first Friday in June, July, August, September, November and January of each year, and for colored teachers upon the second Friday of the same months, and no examination shall be held at any other time whatever. Each examination may continue two days if necessary. No certificate shall be issued upon the same day of examination, nor shall any answers be passed upon in the presence of the applicant. The State Board of Examiners shall carefully prepare six series of questions for white teachers and an equal number for colored teachers, all of the same grade; shall inclose the questions upon each subject in a separate envelope, with the name of the subject plainly written or printed thereon; shall inclose the several envelopes in a package, which they shall seal, and forward by registered mail to each county superintendent at least two weeks before the examination, designating the month for which the same shall be used. The county superintendent shall carefully preserve the said

package of questions under seal till the hour of examination, and the seal of the said package shall then be examined by the other examiners and the applicants for certificates, and the package shall be opened in their presence. The examiners shall allot a reasonable time for the examination upon each subject, and shall collect the answers of all applicants when the time allotted has expired; and after the first subject is presented to the applicants the said examiners shall not present any other subject, or open the envelope thereof, until they collect the answers of all applicants to all questions previously presented. The said examiners shall not examine any applicant until they are fully satisfied that said applicant possesses an unexceptionable moral character, and is of the age herein prescribed. They shall take care to see that no assistance, either direct or indirect, is given to, or obtained by, any applicant during the examination, and shall refuse to grant a certificate to any applicant who may either obtain or give such assistance. The county superintendent, and at least one of the examiners, shall be present, and shall conduct all examinations, and sign all certificates. County certificates shall be first-class, second-class and third-class, until the first day of June, 1891, and after that date they shall be first-class or second-class only. County certificates of the second-class and third-class shall apply only to the counties in which they are issued, and shall be good for two years and for one year respectively. A county certificate of the first-class shall be good for four years in the county in which it is issued, and in any adjoining county, if the county superintendent thereof shall indorse said certificate by writing thereon, "Indorsed for ———— county," and signing his name thereto. A county certificate of the first-class shall require an average grade of eighty-five per cent. upon all the subjects of the common school course, and upon the science and art of teaching; and the lowest grade in any subject shall not be less than sixty-five per cent. A county certificate of the second-class shall require an average grade of seventy-five per cent., and the lowest grade on any subject shall not be less than fifty per cent. A county certificate of the third-class shall require an average grade of sixty-five per cent., and the lowest grade on any subject shall not be less than fifty per cent. Any county superintendent or county examiner who shall knowingly grant to any immoral person, or to any person under the prescribed age, or to any person who has received or given aid in the examination a certificate to teach in the common schools, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than twenty-five dollars and not more than fifty dollars for each offense.

§ 6 The county board of examiners shall charge each applicant a fee of one dollar for each examination made, the proceeds of which shall be divided between the two members of the board appointed by and acting with the county superintendent, in proportion to the services rendered by them. If, at any time, the holder of a county certificate shall be found incompetent, inefficient, immoral, or otherwise unworthy to be a teacher, the county superintendent shall revoke the

certificate of such person; and any teacher dismissed from school on such grounds shall be entitled to receive payment for services only up to the time of dismissal. Nothing in this act shall be construed to require any teacher now holding a teacher's certificate to be re-examined until the expiration of said certificate.

§ 7. It shall be the duty of each teacher of a common school to keep such a register of the school as the State Superintendent may require of and furnish to him. The teacher's register shall be the property of the district, shall be systematically graded for four years' work, shall be well preserved, without mutilation or useless marking, shall be in the care of the teacher during the school term, and at the close thereof shall be delivered to the chairman of the board of trustees, who shall be responsible for it, and deliver it to the teacher at the opening of the next school term, and it shall be open at all times to the inspection of the trustees and the county superintendent. The section allotted to each year shall be divided into two parts, designated as Monthly Summary and Term Summary. The Monthly Summary shall show the day of the week and day of the month upon which the term began, the day of the week and of the month of each day taught, the number of pupils enrolled, the number in attendance each day, the name, sex and daily standing of each pupil in each subject, the times tardy and length of such tardiness of each pupil, and such other facts as the Superintendent of Public Instruction may desire. On the last day of each month taught the teacher shall sum up and place at the end of the record for the month the facts herein required to be kept, with the day of the week and month on which the school month closed, the highest and lowest number of pupil children in attendance, and the average percentage of the attendance of the whole number of pupil children in the district. The Term Summary shall show the monthly statement made at the end of each month, the percentage of the enrollment of the whole number of pupil children in the district, the highest, lowest and average number of children in attendance, the average percentage of the children of the district in attendance, the number of pupils in each class, the name of the text book used in each class, the point reached by each pupil in each book at the close of the term, the names of all pupils that should be advanced, the class of the teacher's certificate, his average monthly salary, and such other facts as may be required in the register.

§ 8. The Superintendent of Public Instruction shall provide for each teacher a blank monthly report for each month to be taught, and also a blank term report. At the end of each month taught the teacher shall fill the monthly report of that month from the facts summed up in the monthly summary of the register, and shall present the monthly report to the chairman of the board of trustees, who shall carefully examine it, and if found correct, he shall fill out and sign a certificate attached to the monthly report, certifying that the month had been legally taught; and upon the chairman's certificate, the teacher shall draw his salary from the county superintendent for the

month so certified, after the monthly report has been duly delivered to the county superintendent. Within ten days after the close of the last month of the term, the teacher shall make out the term report from the term summary in the register; shall present the term report, the last monthly report, and the teacher's register to the chairman, who shall carefully inspect them and approve the reports, make out the chairman's annual report, and shall then give the teacher certificates for the months not previously certified, and shall place the chairman's annual report in the teacher's hands for delivery to the county superintendent. Any teacher who shall make a false monthly or term report, or any chairman of trustees who shall give a certificate of a month or of months taught before he has carefully examined and approved the report of each month, or any county superintendent who shall make a payment upon a teacher's salary, except upon the chairman's certificate, and upon receiving the monthly report or reports for the month or months so paid, or shall pay the last month's salary before receiving the chairman's annual report, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty dollars nor more than forty dollars for each offense.

§ 9. Teachers shall faithfully enforce in school the course of study, the text books adopted in the county, and the regulations prescribed in pursuance of law; and if any teacher shall wilfully refuse or neglect to comply with such requisitions, the county superintendent, on petition or complaint of the trustees, may remove or dismiss him; and in case of such dismissal or removal, the said teacher shall receive payment only for the time taught. The teacher is authorized and directed to hold each pupil to a strict accountability for any disorderly conduct on the play ground, or during any intermission or recess, or on the road to and from school; and for good cause he may suspend any pupil: *Provided*, That such suspension shall be immediately reported, in writing, to the chairman of the board of trustees. In cases of suspension, the action of the teacher shall be final, unless reversed by the trustees. Either party may appeal from the decision of the trustees to the county superintendent, whose decision shall be final.

§ 10. The Superintendent of Public Instruction shall appoint two professional educators, who, together with himself, shall constitute a State Board of Examiners, who shall examine all applicants personally, applying to them for certificates of qualification as county superintendents. The said board of examiners shall prepare the series of questions for the examination of candidates for county superintendent, as provided in section 4, of article vii, of this act; and also the different series of questions for the examination of teachers as provided in section 2, of article 10, of this act.

ARTICLE XI.—*Teachers' Institute.*

§ 1. It shall be the duty of each county superintendent to organize and cause to be held annually a teachers' institute for the normal in-

struction, improvement and better qualification of the teachers of his county. The institute shall occupy not less than five days, and shall be held between the first day of June and the first day of December. The Superintendent of Public Instruction and two competent institute instructors, appointed by him, shall constitute a committee on programme to prepare and place in the hands of each county superintendent, not later than June 1 of each year, a programme of the work of the institute and a syllabus of each subject of instruction as provided in section 6 of this article. The programme and syllabus as prescribed shall be furnished each member of the institute, and shall be faithfully and efficiently carried out. Any county superintendent who shall wilfully fail or neglect to hold the annual institute as prescribed in this article shall be fined fifty dollars.

§ 2. Each county superintendent of this State shall employ one or more able and experienced institute instructors to direct each institute held by him, and to instruct the teachers thereof. After June 1, 1891, no person shall be deemed qualified or authorized to take charge of an institute as conductor, director or instructor thereof, or to receive any compensation as conductor, director or instructor of an institute; and no county superintendent shall employ such person to conduct, direct or instruct an institute for compensation, unless such person shall have obtained a State diploma or a State certificate from the State Board of Examiners.

§ 3. Beginning in 1891, the Superintendent of Public Instruction shall annually call all the professional institute workers of the State into institute convention at the State Capital during the month of May, for the purpose of better organization and more effective management of institute work. It shall be the duty of each person holding a State diploma, and proposing to assume charge of an institute or of institutes as conductor or instructor, to attend each annual session of the institute convention; and any such person failing to attend shall forfeit his privilege to conduct or instruct any institute for that year, unless he can satisfy the Superintendent of Public Instruction that there was a reasonable excuse for not attending. At the said institute convention the whole subject of institute work shall be thoroughly discussed, and the best plans for prosecuting it throughout the State shall be adopted and used in all counties. The said institute convention may suggest to the committee on programme principles, subjects and methods for incorporation in the programme and syllabus. Any incidental expenses of the institute convention shall be debited to the contingent expenses of the department of public instruction.

§ 4. All teachers who have schools in session or under contract, and all persons who contemplate teaching a common school at any time during the school year, must attend the full session of the institute. The county superintendent shall, at the close of the institute, indorse the fact of attendance upon the certificates of all teachers who shall have attended the full session of the institute, and the certificate of every teacher not so indorsed shall at once, unless otherwise

specially provided by law, become null and void without being formally revoked by the county superintendent, and if the said superintendent is satisfied that any teacher had been prevented from attending by actual sickness or other disability, he may make the certificate of such teacher valid as before, by writing thereon the word "renewed," and dating and signing the same. The said indorsement of attendance shall be in these words, signed by the county superintendent: Attended full session of the county institute of ----- county, beginning the --- day of the month of ----- 18—. After the county institute has been held, it shall be unlawful to grant any person a certificate to teach at any time during that school year, unless the said person shall have attended the full session of the institute of that or some other county during that school year, or unless the county superintendent shall be fully satisfied that the failure to attend the institute had been caused by sickness or other disability. During the institute there shall be a suspension of such schools as are in session, but no reduction of the teachers' salary shall be made on account of such suspension except as hereinafter provided. The time of the institute shall not be accredited to the teacher whether held during the session of his school or before it begins, but he shall only have credit for the days and parts of days of actual attendance. At the close of the institute the county superintendent shall give to each teacher or other person in attendance a certificate of the number of days and parts of days that the teacher or other person had attended, which certificate of attendance shall be filed by the teacher with the chairman of the board of trustees of the district, who shall make report thereof to the county superintendent at the time of reporting the school.

§ 5. Any adjoining counties not exceeding four in number may combine and hold a joint institute: *Provided*, The county superintendents of all the counties concerned shall agree upon the plans necessary to the purposs; that each of them shall attend the full session of the said joint institute, and keep the record provided in section 6; that at least two able and experienced instructors are employed, if more than two counties are combined, and that the approval of the Superintendent of Public Instruction be obtained for the purpose at least thirty days before the opening of the said joint institute.

§ 6. The county superintendent shall be present during the entire session of the county institute; shall have the roll called every morning and afternoon; and shall keep a strict daily register of the presence, absence and tardiness of the teachers and other members, and of the exercises of the institute. He may collect two dollars, but in no case shall he collect less than one dollar from each teacher or other person in attendance on the institute at the time of matriculation. These fees shall form a county institute fund. Out of this fund the county superintendent shall pay all necessary expenditures, including the publication of the proceedings of the institute and association in one or more newspapers, or in pamphlet form. A copy of the published proceedings shall be forwarded by the county superin-

tendent to the office of Superintendent of Public Instruction. Any residue after the payment of the institute expenses shall constitute a fund for the formation of a county teachers' library, under the control and supervision of the county superintendent and board of examiners. In case of a joint institute, the proceedings shall be published jointly, and any surplus fund shall be prorated among the counties concerned.

§ 7. In selecting a proper place for holding the teachers' institute, the county superintendent shall decide with reference to the convenience and accommodation of the place, and shall endeavor to make such arrangements as he best can for economizing and reducing the expense of teachers while in attendance. He shall, twenty days before the institute begins, notify by mail the trustees of his county of the time and place of holding it; and it shall be the duty of each trustee to notify promptly every teacher in his school district. The county superintendent shall likewise direct the trustees of each district to post notices thereof.

§ 8. The Superintendent of Public Instruction may recommend able and experienced normal instructors to conduct the teachers' institutes, whose pay shall be derived from and paid by the county superintendent, out of the funds raised from the teachers and other members of the institute.

§ 9. At each session of the institute every subject embraced in the common school course shall be brought before the institute, illustrated and discussed, and every feature of school organization and school management, together with the whole work of the teacher, shall be considered, and the common school laws of the State read and expounded.

§ 10. During the session of the institute there may be held a county teachers' association, and an evening or night term of two hours may be daily set apart for this purpose. The association may be composed of all the officers and teachers of common schools present, and shall be called together by the county superintendent, after which the organization and proceedings of the body shall be under its own control and management. The objects of such association shall be, primarily, to discuss and devise the best ways and means of promoting the interests of common schools and the improvement of teachers and the methods of teaching.

§ 11. The county superintendent shall, at the time of making his annual report to the Superintendent, also report the time and place of holding the teachers' institute, the name of the person conducting the same, the number of persons registered as in attendance, the sum collected by the fee paid by each person in attendance, the number of teachers of common schools in the county who did not attend the institute and teachers' association, as he may deem of value and interest.

§ 12. This act shall take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Together with the message of the Governor vetoing said bill.

On motion of Mr. Dickerson—

Ordered, That the further consideration of said bill be postponed, and that it be made the special order of the day for Wednesday, May 21, 1890, at 11 o'clock A. M., and from day to day until disposed of, and that it have precedence over all other business for said day and hour.

The Senate, according to order, took up for consideration the motion heretofore made by Mr. May, to lay on the table the motion heretofore entered by Mr. Dickerson, to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act for the protection of fish in the waters of the State of Kentucky.

(For bill see Senate Journal May 2, 1890.)

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Dickerson and McCain, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. M. Pieratt,
Ben F. Bradley,	G. W. Gates,	B. F. Reynolds,
R. J. Breckinridge,	D. L. May,	J. H. Shearer,
Reuben Conner,	John McCann,	D. W. Wright—14.
F. W. Darby,	Chas. Patteson,	

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	Chas. B. Poyntz,
W. W. Dickerson,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	J. W. Martin,	D. H. Smith,
J. B. Hannah,	James H. Mulligan,	J. S. Wortham—14.
J. P. Huff,	J. W. McCain,	

Mr. Dickerson moved that the further consideration of his said motion be postponed, and that it be made the special order of the day for Friday, July 4, 1890, at 12 o'clock M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	William Goebel,	J. W. McCain,
Reuben Conner.	J. B. Hannah,	J. H. Shearer,
W. W. Dickerson,	William Lindsay,	D. H. Smith,
G. W. Gates,	J. H. Lunsford,	J. S. Wortham—14.
T. L. Glenn,	J. W. Martin,	

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	D. L. May,	C. B. Poyntz,
R. J. Breckinridge,	Jas. H. Mulligan,	B. F. Reynolds,
F. W. Darby,	John McCann,	Phil Roberts,
Sam E. English,	Chas. Patteson,	D. W. Wright—15.

Mr. Dickerson moved that the further consideration of said motion be postponed indefinitely,

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	Reuben Conner,	William Lindsay—3.
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Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	D. L. May,	B. F. Reynolds,
F. W. Darby,	Jas. H. Mulligan,	Phil. Roberts,
Sam E. English,	John McCann,	D. W. Wright—18.

Mr. Dickerson moved that when the Senate adjourns for the day that it be to meet on Tuesday, May 20, 1890, at 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	William Goebel,	John McCann,
F. W. Darby,	William Lindsay,	J. J. Paul,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	Jas. H. Mulligan,	D. W. Wright—16.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. M. Pieratt,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
Ben F. Bradley,	J. H. Lunsford,	Phil Roberts,
R. J. Breckinridge,	Chas. Patteson,	J. S. Wortham—14.
J. B. Hannah,	A. L. Peterman,	

Mr. Dickerson moved that the motion heretofore made by him to reconsider the vote by which the Senate had passed said bill be postponed, and that it be made the special order of the day for Wednesday, June 4, 1890, at 11 o'clock A. M.

And the question being taken thereon, and a quorum of the Senate not voting thereon, said bill fell into the order of the day.

The yeas and nays being required thereon by Messrs. Dickerson and Lunsford, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
W. F. Berry,	D. L. May,	Charles B. Poyntz,
Ben F. Bradley,	James H. Mulligan,	B. F. Reynolds,
R. J. Breckinridge,	John McCann,	Phil Roberts,
F. W. Darby,	Chas. Patteson,	D. H. Smith,
Sam E. English,	A. L. Peterman,	D. W. Wright—19.
J. P. Huff,		

Mr. Breckinridge moved to reconsider the vote by which the Senate had fixed Tuesday, May 20, 1890, at 3 o'clock P. M., as the time to which it would adjourn.

Mr. Dickerson moved to lay that motion on the table,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Kemp and Dickerson, were as follows, viz:

Those who voted in the affirmative, were—

W. W. Dickerson,	J. W. Martin,	A. L. Peterman,
Sam E. English,	D. L. May,	Chas. B. Poyntz,
G. W. Gates,	Jas. H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	D. W. Wright—16.
J. B. Hannah,		

Those who voted in the negative, were—

W. H. Anderson,	John R. Kemp,	J. M. Pieratt,
W. F. Berry,	J. H. Lunsford,	B. F. Reynolds,
Ben F. Bradley,	Chas. Patteson,	J. H. Shearer,
R. J. Breckinridge,	J. J. Paul,	J. S. Wortham—13.
J. P. Huff,		

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of Hamilton Ormsby and other persons in Jefferson county.

(*For bill, see Senate Journal, April 19, 1890.*)

Mr. Berry proposed the following amendments to said bill, viz:

All judgments obtained upon any action brought under the provisions of this act shall be applied to the removal of the nuisance complained of.

That no person who has purchased land in the vicinity of the nuisance complained of, since the erection or purchase of the site on which said asylum is located, or who has directly or indirectly assisted in bringing about said nuisance, shall be entitled to sue or maintain an action under the provisions of this act.

The question was then taken on the adoption of the first amendment proposed by Mr. Berry to said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Wortham and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,

Ben F. Bradley—2.

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	Chas. B. Poyntz,
R. J. Breckinridge,	John McCann,	D. H. Smith,
Sam E. English,	Chas. Patteson,	D. W. Wright—9.

Mr. Berry was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the Senate, entitled

An act incorporating the Henderson Fair Association.

After a short time, Mr. Berry, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

A message was received from the House of Representatives by Messrs. Cox, Frazee and Gay, announcing that they were now ready to execute the joint order of the day, the election of a Senator in the Congress of the United States.

The hour of 12 o'clock M. having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of the adjournment of the Joint Session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of service would have expired on the 4th day of March, 1895.

The Speaker of the Senate, at the time designated, took the Chair and called the Joint Assembly to order.

Mr. Glenn moved that the reading of the proceedings of yesterday be dispensed with.

And the question being taken thereon, it was decided in the affirmative.

The roll of the two Houses was then called and the following Senators and Representatives responded to the call, viz :

W. H. Anderson,	Scott Brown,	Wm. M. Moore,
W. F. Berry,	F. B. Brown,	Reuben Morris,
Ben F. Bradley,	W. O. Blackerby,	Thomas Murray,
R. J. Breckinridge,	I. S. Bow,	W. S. McClanahan,
B. F. Cockrell,	J. L. Bruce,	W. C. McChord,
Reuben Conner,	E. R. Burns,	John T. McClure,
F. W. Darby,	Tibbis Carpenter,	J. H. McDanell,
W. W. Dickerson,	J. H. Coffey,	J. J. Nall,
Sam E. English,	Hugh P. Cooper,	G. W. Norman,
G. W. Gates,	W. H. Counts,	W. R. Palin,
T. L. Glenn,	Wm. T. Cox,	O. T. Petty,
Wm. Goebel,	John G. Creech,	Matthew Rebholz,
J. B. Hannah,	J. W. Croan,	D. B. Redwine,
J. P. Huff,	R. H. Crossfield,	Gus. W. Richardson,
John R. Kemp,	P. B. Davis,	N. B. Riley,
William Lindsay,	John C. Draddy,	R. E. Roberts,
J. H. Lunsford,	G. W. Duvall,	John W. Rowlett,
J. W. Martin,	John M. Frazee,	Jas. H. Rudy,
James H. Mulligan,	G. H. Gardner,	John Ryan,
J. W. McCain,	T. T. Gardner,	E. E. Settle,
John McCann,	Wm. Garrison,	Waller Sharp,
John P. Newman,	James P. Gay,	S. H. Shouse,
Chas. Patteson,	E. J. Green,	W. B. Smith,
J. J. Paul,	Ed E. Hardin,	W. M. Smith,
A. L. Peterman,	R. C. Hill,	W. W. Stephenson,
C. B. Poyntz,	W. H. Hays,	G. W. Terrell,
Ben F. Reynolds,	B. B. Hensley,	Alvis B. Tichenor,
Phil. Roberts,	Jas. A. Hindman,	Claude M. Thomas,
J. H. Shearer,	S. L. Holland,	W. P. Thorne,
D. H. Smith,	Daniel James,	R. H. Tomlinson,
A. H. Stewart,	Joseph Jenkins,	R. S. Triplett,
J. S. Wortham,	Tice Jolly,	Arthur Wallace,
D. W. Wright,	Geo. B. Kinkead,	B. R. Walker,
Wm. H. Able,	Henry Kremer,	R. C. Warren,
John Bartman,	John W. Langley,	J. H. Welch,
W. S. Bailey,	John M. Letterle,	Myer Weil,
W. J. Bale,	J. J. Long,	Chas. B. Wickliffe,
R. N. Beauchamp,	R. S. May,	Theo. C. Wolking,
W. P. Bentley,	Isaac Middleton,	Wm. Wharton—118.
E. D. Briscoe,		

Mr. Senator Lindsay nominated Hon. John G. Carlisle, of the county of Kenton, as a suitable person to fill said office.

Mr. Representative Langley nominated Hon. Silas Adams as a suitable person to fill said office.

There being no other nominations, the Speaker then announced that the Clerks would now proceed to take the fourth joint vote, and the vote being taken stood thus :

In the Senate :

Those who voted for Mr. Carlisle, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry.	William Goebel,	Chas. Patteson,
Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
Reuben Conner,	D. L. May,	B. F. Reynolds,
F. W. Darby,	James H. Mulligan,	D. H. Smith,
W. W. Dickerson,	John McCann,	J. S. Wortham,
Sam E. English,	John McCann,	D. W. Wright—28.
G. W. Gates,		

Those who voted for Mr. Adams, were—

J. P. Huff,	J. J. Paul,	J. H. Shearer,
J. H. Lunsford,	Phil. Roberts,	A. H. Stewart—7.
J. W. Martin,		

In the House of Representatives :

Those who voted for Mr. Carlisle, were—

Mr. Speaker (Myers),	Ed E. Hardin,	Gus. W. Richardson,
Wm. H. Able,	W. H. Hays,	N. B. Riley,
John Bartman,	B. B. Hensley,	R. E. Roberts,
W. S. Bailey,	Jas. A. Hindman,	John W. Rowlett,
W. J. Bale,	S. L. Holland,	Jas. H. Rudy,
R. N. Beauchamp,	Daniel James,	John Ryan,
E. D. Briscoe	Joseph Jenkins,	E. E. Settle,
Scott Brown,	Tice Jolly,	Waller Sharp,
F. B. Brown,	Geo. B. Kinkead,	S. H. Shouse,
W. O. Blackerby,	Henry Kremer,	W. B. Smith,
J. L. Bruce,	John M. Letterle,	W. M. Smith,
E. R. Burns,	J. J. Long,	W. W. Stephenson,
Tibbis Carpenter,	Henry Mason,	G. W. Terrell,
Hugh P. Cooper,	R. S. May,	Alvis B. Tichenor,
W. H. Counts,	Isaac Middleton,	Claude M. Thomas,
Wm. T. Cox,	Wm. M. Moore,	W. P. Thorne,
J. W. Croan,	W. S. McClanahan,	R. H. Tomlinson,
R. H. Crossfield,	W. C. McChord,	R. S. Triplett,

P. B. Davis,	John T. McClure,	Arthur Wallace,
John C. Draddy,	J. H. McDanell,	B. R. Walker,
G. W. Duvall,	J. J. Nall,	R. C. Warren,
John M. Frazee,	G. W. Norman,	J. H. Welch,
G. H. Gardner,	W. R. Palin,	Myer Weil,
T. T. Gardner,	O. T. Petty,	Chas. B. Wickliffe,
Wm. Garrison,	Matthew Rebholz,	Theo. C. Wolking,
James P. Gay,	D. B. Redwine,	Wm. Wharton—79.
E. J. Green,		

Those who voted for Mr. Adams, were—

W. P. Bentley,	John G. Creech,	Reuben Morris,
I. S. Bow,	R. C. Hill,	Thomas Murray—8.
J. H. Coffey,	John W. Langley,	

In summing up the vote of the Joint Assembly, it was found to stand thus:

For Hon. John G. Carlisle.....	107 votes
For Hon. Silas Adams.....	15 votes
Total.....	122 votes

Necessary to a choice, 62 votes.

The Speaker of the Senate and presiding officer of the Joint Assembly then announced that the Hon. John G. Carlisle having received a majority of all the votes cast, and there being present and voting a majority of all the members elected to each House of the General Assembly, was duly elected a Senator from the State of Kentucky, to serve as such in the Congress of the United States from the day of his qualification until the 4th day of March, 1895, to fill the vacancy occasioned by the death of Hon. James B. Beck, whose term of service would have expired on the 4th day of March, 1895.

By unanimous consent—

Ordered, That the Journals of the Joint Assembly show that Messrs. Representatives Williams, Womack, Mathers, Vanhose, Flannery, Hoertz, and Messrs. Senators Terry, Hendricks and Hays, who were absent, would, if present, have cast their votes for Hon. John G. Carlisle, for Senator in the Congress of the United States.

By unanimous consent—

Ordered, That the Journals of the Joint Assembly show that

Messrs. Representatives Geo. E. Bryan, W. H. Clark, H. B. Clark, S. G. Hillis and Eli Farmer, who were absent, would, if present, have cast their votes for Hon. Silas Adams for Senator in the Congress of the United States.

The Journals of the proceedings of this day of the Joint Assembly were then read and approved.

On motion of Mr. Cooper, the Joint Assembly was then dissolved.

The Senators then repaired to the Senate Chamber, and the Speaker resumed the Chair and called the Senate to order.

By unanimous consent, the Senate took up for consideration the motion heretofore entered by Mr. Mulligan to reconsider the vote by which the Senate had adopted a joint resolution, entitled

Resolution to provide for exhibition of the wealth, resources and progress of the State of Kentucky at the World's Fair, to be held at Chicago.

Mr. Darby moved to lay said motion on the table.

Mr. Mulligan moved that the Senate do now adjourn,

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Roberts, were as follows, viz:

Those who voted in the affirmative, were—

Ben F. Bradley,	John K. Hendrick,	Jno. P. Newman,
W. W. Dickerson,	J. P. Huff,	Chas. B. Poyntz,
Sam E. Engilsh,	D. L. May,	Phil Roberts,
G. W. Gates.	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
William Goebel,	John McCann,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	J. M. Pieratt,
R. J. Breckinridge,	J. H. Lunsford,	A. H. Stewart,
B. F. Cockrell,	A. L. Peterman,	J. S. Wortham—9.

So further action thereon was cut off.

And then the Senate adjourned.

TUESDAY, MAY 20, 1890.

The Lieutenant-Governor and regular Speaker of the Senate being absent, at his request Hon. D. H. Smith took the Chair and presided.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the Fayette County Court to subscribe stock for turnpike purposes.

An act to incorporate the Cynthiana Electric Light and Artificial Ice Company.

An act to protect the citizens of district No. 1, on the east side of turnpike road in Anderson county, from trespass by stock.

An act to incorporate the Shelbyville Water-works Company, and to authorize the city of Shelbyville to take stock therein.

An act to incorporate the Farmers' Bank of Mayslick, Kentucky.

An act to incorporate the Carthage Cemetery Company, in Campbell county.

An act to create a legal voting precinct at Hubbard, in common school district No. 24, in Lyon county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to roads and bridges in Henderson county," approved May 17, 1886.

An act to authorize the consolidation of the town of Chester with the city of Maysville, in Mason county.

An act to authorize the Lewis County Court to provide for the erection of a bridge over Scaffold Lick creek, in Quincy precinct.

An act to enable the board of trustees of the town of Dover, in Mason county, Kentucky, to issue bonds of said town for the improvement of the town of Dover, and in aid of the establishment of manufactures in said town.

An act for the benefit of school district No. 85, in Daveiss county, Kentucky.

An act to incorporate the Kentucky River, Port Royal and Hopewell Turnpike Road Company, and to authorize a portion of Henry county to vote a tax in aid of its construction, issue bonds and indorse the same.

An act to incorporate Kenton, Pearce & Co.'s Bank, of Mt. Olivet, Kentucky.

An act to incorporate the town of East View, in Hardin county.

An act to incorporate the Big Sandy Bridge Company.

An act to incorporate the Pineville Bank, Loan and Trust Company.

An act to amend an act authorizing the town board of London, Kentucky, to issue bonds to macademize, and provide street lamps for the streets of said town.

An act to provide for a registration of voters in the city of Covington.

An act to amend and reduce into one the several acts in relation to the charter of the town of Adairville, in Logan county.

An act to incorporate the Bank of Barbourville.

An acts authorizing the constable of the New Haven magisterial district, in Nelson county, to appoint a deputy in the New Hope precinct, in said district.

An act to amend an act, entitled "An act to establish a road law for Lawrence county."

An act incorporate the Oakland and Stewart's Ford Turnpike Company, in Warren county.

An act to incorporate the Rockfield and Northern Railroad Company.

An act to incorporate the Barbourville Gas Light Company.

An act to provide for holding primary elections in Magoffin county.

An act to amend section 8, article 9, of the common school law.

An act to amend the charter of the town of Hiseville, in Barren county.

An act to amend the charter of the Liberty and Middleburg Turnpike Road Company.

An act to amend the charter of the Fidelity Trust and Safety Vault Company.

An act to change the line between common school districts Nos. 14 and 70, in Breckinridge county.

An act to authorize the board of trustees of the Owensboro Female College Company to confer collegiate degrees.

An act to incorporate the West Point and Louisville Railroad Company.

An act to charter Douglass Academy.

An act to amend an act, entitled "An act to incorporate the Belle Grove Springs and Blue Bank Turnpike Road, in Fleming county," approved February 27, 1865.

An act to amend the charter of the village Cote-Brilliant, in Campbell county.

An act to amend an act, entitled "An act to incorporate the Edison Electric Illuminating, Heating and Power Company," approved April 9, 1890.

An act to incorporate the Flat Creek and Bald Eagle Turnpike Road Company, in Bath county.

An act to provide for the repairing and keeping in repair the public roads of Rockcastle county.

An act authorizing the First Christian Church, of Paducah, Kentucky, to issue bonds for the purpose of erecting a house of worship, and to mortgage its property to secure said bonds.

An act to prevent stock from running at large in the vicinity of or trespassing on the German Roman Catholic Mother of God Cemetery, in Kenton county.

An act to reduce into one all acts in reference to the town of Pewee Valley, and to more clearly define the boundary of said town.

An act to amend an act, entitled "An act concerning roads and bridges in Caldwell county," approved February 25, 1884.

An act to amend an act to incorporate the Bond Mill and Chase Lick Creek Turnpike Road Company, in Anderson county.

An act to incorporate the People's Bank of Mount Washington.

An act to provide for the construction of a public highway in Kenton county, Kentucky, by the cities of Covington and

Ludlow and the town of West Covington at the cost of said municipalities.

An act to further regulate municipal elections in the city of Covington.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to prevent the sale or furnishing of any spirituous, vinous or malt liquors, or any mixture thereof, or any intoxicating drink within four miles of any voting place in Green, Metcalfe or Monroe county, Kentucky, on any regular election day.

An act to incorporate D. V. Auxier Post No. 73, G. A. R., in Johnson county.

An act to incorporate the Catlettsburg Street Railway Company.

An act to incorporate the Louisa and Southeastern Railway Company.

An act to incorporate the Louisa Street Railway Company.

An act to incorporate the Lebanon and North and South Railway Company.

An act to incorporate the Pineville, Mt. Pleasant and Big Stone Gap Railway Company.

An act to incorporate the Turners' Station, Drennon Springs and Owenton Railroad.

An act to charter the town of Quincy, in Lewis county.

An act to incorporate the Central Kentucky and Ohio River Railway Company.

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in the limits of the town of Catlettsburg."

An act in relation to the sale of the Danville Gas Company's franchises to the city of Danville.

An act to incorporate the Eminence Electric Light, Water and Ice Company.

An act to prohibit the carrying of guns on election days within one mile of any voting place in Estill and Lee counties.

An act to amend chapter 1144, Session Acts 1887-'88.

An act authorizing the board of commissioners, or court of

levy and claims of Martin, Johnson, Floyd, Pike, Lawrence, Boyd, Letcher and Knott, to apply the county tax on railroads built into or through said counties in payment of expenditures for right of way.

That they had passed bills, which originated in the Senate of the following titles, viz:

An act to extend the corporate limits of the city of Ashland, in Boyd county.

An act to charter the Deposit Bank, of Gratz.

An act to amend and reduce into one the several acts in relation to the town of Rochester, Butler county, approved February 7, 1884.

An act to incorporate the Louisville Polytechnic Auditorium.

An act to incorporate the Hazel Green Cemetery Company, at Hazel Green, Wolfe county.

An act to incorporate the Silver Creek Turnpike Road Company, in Madison county.

An act to incorporate the Presbyterian Alliance, of Louisville.

An act to incorporate the New Haven Bank and Trust Company.

An act authorizing the issuance of five hundred thousand dollars of municipal bonds of the city of Louisville.

An act to incorporate the Blue Grass Club.

An act to authorize the Fayette County Court to subscribe stock in the Fort Spring and Pinkard Turnpike Road Company.

An act to print sheriffs' and commissioners' advertisements of land sales and so forth, in Trimble county, in county paper.

An act to authorize the court of claims, of Shelby county, to levy an ad valorem tax.

An act to incorporate the Excelsior Gas Company.

An act authorizing the constable of the Bowling Green magisterial district No. 1, in Warren county, to appoint a deputy in said district.

An act making Mud river the line between Butler and Muhlenburg counties.

An act for the benefit of Mrs. Patrick Craven, of Maysville.

An act for the benefit of Vina Smith, pauper idiot of Butler county.

An act to amend an act, entitled "An act for the benefit of the

city of Ashland, and to amend certain acts relating to the city of Ashland," approved March 26, 1878.

An act incorporating the Henderson Fair Association,

With an amendment to the last-named bill,

Which amendment was, by unanimous consent, taken up and concurred in.

That they had passed bills of the following titles, viz :

1. An act for the benefit of Elisha L. Lewis and Martha Lewis, of Leslie county.

2. An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth."

3. An act to submit to the voters of Clay county the question as to whether or not spirituous, vinous and malt liquors shall be sold in said county by license.

4. An act to amend an act, entitled "An act for the benefit of the public roads in Barren, Metcalfe and Monroe counties," approved April 1, 1882.

5. An act to repeal all acts incorporating the town of Farmers, in Rowan county, and make new charter for same.

6. An act to extend the powers of the trustees of the town of Dover, Kentucky.

7. An act to amend the charter of the city of Newport.

8. An act to provide for the erection, maintenance and control of a jail in the court-house district of Campbell county.

9. An act to amend an act, entitled "An act to incorporate the Iron Works and Frankfort Turnpike Road Company, in Bourbon county."

10. An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Aid Association.

11. An act to amend section 49, of chapter 39, of the General Statutes.

12. An act to prohibit the voters of Adair county from voting a tax in aid of railroads, except for right of way.

13. An act declaring Licking river a lawful fence from the Ohio river to Banklick creek, in Kenton county.

14. An act to amend the charter of the city of Covington.

15. An act to incorporate the Cairo, Hickman and Memphis Railroad Company.

16. An act to incorporate the Harrison County Bank.

17. An act to amend an act, entitled "An act to incorporate the Henderson Trust Company, approved March 13, 1886, and the act amendatory thereof."

18. An act to incorporate the Christian Church of Ludlow, Kenton county.

19. An act increasing the jurisdiction of the mayor of the city of Augusta to two hundred dollars in all cases of which he now has jurisdiction.

20. An act to authorize the trustees of Carrollton to sell and convey certain land belonging to said town.

21. An act to declare Marrowbone creek, in Cumberland county, a navigable stream.

22. An act to repeal a certain portion of section 33, of an act, entitled "An act to incorporate the city of Flemingsburg, Fleming county," approved May, 1890.

23. An act to repeal an act, entitled "An act to revise the charter of the city of Mayfield, Graves county," approved May 1, 1884.

24. An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within the limits of school district No. 13, known as Dry Fork District, in Barren county.

25. An act to amend chapter 243, session acts of 1890.

26. An act to amend an act, entitled "An act to incorporate the city of Maysville, in Mason county."

27. An act to amend an act, entitled "An act to establish the county of Lee," approved January 29, 1870.

28. An act to amend act, entitled "An act to prohibit the sale, barter and traffic of vinous, spirituous and Malt liquors in Hopkins county," approved April 15, 1884.

29. An act repealing an act, entitled "An act to establish a system of public graded schools in school district No. 2, in Bracken county," approved April 12, 1888.

30. An act to amend an act to incorporate the town of New Campbellsburg, in Henry county.

31. An act for the benefit of the New Castle and Drennon turnpike road.

32. An act to amend an act, entitled "An act to authorize and empower Muhlenberg county to fund its outstanding bonded indebtedness," approved March 18, 1878.

33. An act to prohibit the charging or collection of tolls for the passage along and over turnpike roads in Kenton county of certain pleasure vehicles not propelled by animal power.

34. An act to incorporate the Mt. Sterling Connecting Railway Company.

35. An act to amend an act, entitled "An act to incorporate the Deposit Bank of Beattyville."

36. An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890,

Which bills were severally read the first time and ordered to be read a second time,

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on the Judiciary; the 2d and 29th to the Committee on Education; the 3d and 18th to the Committee on Religion and Morals; the 4th, 24th and 28th to the Committee on Propositions and Grievances; the 5th, 6th, 9th, 26th and 35th to the Committee on Agriculture and Manufactures; the 7th and 8th to the Committee on Immigration and Labor; the 10th and 16th to the Committee on Banks and insurance; the 11th to the Committee on General Statutes; the 13th, 14th, 19th, 33d and 36th to the Committee on Courts of Justice; the 20th, 30th and 31st to the Committee on Public Expenditures, and the 12th, 15th, 17th, 21st, 22d, 23d, 25th, 27th, 32d and 34th named bills were ordered to be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives announcing that they had passed a bill, entitled

An act for the benefit of A. R. Morris, of Breckinridge county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered. That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Berry read and laid on the table the following joint resolution, viz :

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That on Tuesday, the 27th day of May, 1890, at high noon, this General Assembly shall adjourn *sine die*.

2. This resolution shall take effect from and after its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

Mr. Newman moved to reconsider the vote by which the Senate had adopted said resolution.

Mr. Newman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

Mr. Darby was appointed a committee on the part of the Senate to ask the withdrawal from the House of Representatives of the announcement of the passage by the Senate, with an amendment as a substitute therefor, of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

After a short time, Mr. Darby, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Darby moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Darby moved to reconsider the vote by which the Senate had adopted the substitute for said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Darby proposed an amendment to said substitute,
Which was adopted.

The question was then taken on the adoption of said substitute, as amended, and it was decided in the affirmative.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,)
FRANKFORT, May 20, 1890. }

Gentlemen of the Senate and House of Representatives :

On the 10th inst. a bill, originating in the House of Representatives, numbered 1973, and entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company," reached the Executive Office by the usual methods of transmission. On the 15th inst. a Senator and a member of the House of Representatives, claiming to be a committee appointed for that purpose by the respective Houses, requested the return of the bill to the General Assembly. The Executive Journal shows that the bill was placed in their hands as requested.

On the 17th inst. the bill, which the Executive Journal shows to have been thus withdrawn, was placed upon my table, not through the ordinary channels used by the General Assembly for communicating with the Executive, and accompanied by what purported to be a certificate of the Clerk of the House of Representatives, to the effect that the Journal of that body did not show any authority for the withdrawal of the bill in question.

Considering that the Executive Journal is as conclusive on the actions of the Governor as the Journal of the House is on the action of that body, there is serious doubt as to whether this bill is now properly before me for action.

It is due to the public interests that this frank statement of the official facts connected with the bill should be made in order that the General Assembly may advise me of their wishes in regard to the disposition they desire to be made of the bill.

Respectfully,

S. B. BUCKNER.

Mr. Newman proposed the following resolution, viz :

Be it resolved, That it is the sense of the Senate, that as said bill No. 1973 was not withdrawn from the Governor in the regular form, as said bill was a House bill, and said House Journal does not show that said House had sanctioned said withdrawal from him, and that, therefore, said bill is regularly in his possession.

Mr. Stewart moved that the further consideration of said message and proposed resolution be postponed, and that the same be made the special order of the day for to-morrow, at 10:30 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

A message was received from the House of Representatives, asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives, with an amendment thereto of a bill, which originated in the Senate, entitled

An act to authorize and empower the court of levy and claims of Floyd county to sell and convey the old court-house property in the town of Prestonsburg.

Which was granted, and said bill was delivered to the messenger.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

STUDIO ROOM 20, VERNON ROW, }
WASHINGTON, D. C., May 15, 1890. }

Gov. S. B. BUCKNER, *Frankfort, Ky.*:

HONORABLE SIR: Aware of the great respect and high esteem in which the late Senator Beck was held, and of his strong character as a pillar of his State, I naturally suppose that chiv-

alrous Kentucky would wish to have his memory perpetuated in marble or bronze. In the acceptance of that fact I have secured an excellent death mask, which, together with the experience I have had in making posthumous portrait busts, and the good photographs of him extant, I feel that I can do justice to his memory and please his friends.

I write to you after a consultation with Senator Blackburn, who gave me your name and address and advised me to write to you, using his name as recommendation, he being fully satisfied as to my ability to do competent work.

My idea is this: In case you want to place a bust of Senator Beck in the Capitol or other public position there, I will make one in Clay, subject to the approval of those members of his family who are here, together with the Representatives of your State here in Congress, and on their judgment I am willing to rest.

I am now making for the Senate a bust of the late Vice-President Thomas A. Hendricks in marble. I have also made one of W. W. Corcoran, which is placed in the gallery of art founded by him and taking his name; also one of Chief Justice Waite, all of which have been made from photographs, and are highly commended and satisfactory to the persons concerned. I have also made in marble a bust of Gen. Wade Hampton from a sitting, which is much admired, and is in the Corcoran Gallery of Art.

Hoping, sir, your interest may be awakened in this, I am, sir, most respectfully,

U. S. J. DUNBAR,

Sculptor.

On motion of Mr. Glenn—

Ordered, That said communication be referred to the Committee on Propositions and Grievances.

A message was received from the Governor, by Hon. E. Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the City of Maysville, in Mason county.

An act to amend an act, entitled "An act to incorporate the Charleston, Kentucky and Western Railway Company," approved May 15, 1886.

An act for the benefit of Hezekiah Ellis.

An act to incorporate the Breathitt City Bridge Company.

An act to incorporate the Ashland Real Estate and Loan Company.

An act to authorize the county court of Montgomery county to subscribe for stock in turnpike roads in said county, and to provide means for the payment thereof.

An act constituting Green river a lawful fence from its mouth to the point where it forks with Barren river.

An act for the benefit of the Mount Zion Turnpike Road Company, in Nicholas county.

An act in relation to roads and bridges in McLean county.

An act to incorporate Buckner College, of Hindman, Knott county, Kentucky.

An act to incorporate the Southwestern News Company.

An act to provide for the adoption and use of trade-marks for timber dealers, and for the punishment of any person or persons defacing or destroying the same, or fraudulently diverting timber bearing such trade-marks to their own use on Licking river and its tributaries.

An act to change the line between common school district No. 26 and common school district No. 1, in Montgomery county, Kentucky.

An act for the benefit of Mrs. Lucy Curry.

The Senate, according to order, took up for consideration the motion, heretofore made by Mr. May, to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to amend the charter of Elizabethtown.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

On motion of Mr. May—

Ordered, That said bill be recommitted to the Committee on Immigration and Labor.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act for the benefit of G. W. Hunter.

By unanimous consent, Mr. Anderson withdrew the letters filed with said bill as exhibits.

Bills which originated in the House of Representatives of the following titles were reported from the several committees to which they were referred, viz:

By Mr. Newman, from the Committee on Courts of Justice—

An act fixing the compensation of the Jessamine circuit court clerk for making a general index of the records of his office.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to establish a public ferry at or near Pond creek, Pike county.

By same—

An act to declare certain tributaries of Middle creek, in Floyd county, navigable streams.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to prevent obstructions of turnpike roads in Anderson county.

By Mr. McCann, from the Committee on Courts of Justice—

An act to provide compensation for persons required to appraise real estate before the same is offered for sale under order of court or a judgment of court in the city of Louisville and county of Jefferson.

By Mr. Berry, from the Committee on Federal Relations—

An act to amend an act, entitled "An act to amend the charter of the town of Spottsville, in Henderson county."

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Cumberland River and Jellico Railroad Company,

With amendments to the two last-named bills,

Which were adopted.

Ordered, That said bills, the two last-named as amended, be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several

committees which were directed to prepare and bring in the same, viz :

By Mr. Glenn, from the Committee on Agriculture and Manufactures--

An act to amend the city charter of Paducah and authorizing said city to subscribe stock to the Paducah and Illinois Ferry Company.

By Mr. Lindsay, from the Committee on the Judiciary--

An act for the benefit of Eckstein Norton, trustee of Everemont Hope Norton.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures--

An act to amend an act, entitled "An act to establish a city government for the town of Carlisle," approved May 5, 1880.

By Mr. Newman, from the Committee on Immigration and Labor--

An act to change and add to the magisterial districts in Fayette county and the city of Lexington.

By same--

An act authorizing the county court of claims of Fayette county to exempt from county taxation certain turnpikes in said county.

By Mr. McCain, from the Committee on Public Expenditures--

An act to submit the question to the people of Henry county by precincts as to whether they will tax themselves to repair their turnpikes and county roads in their respective precincts.

By Mr. McCann, from the Committee on Courts of Justice--

An act to incorporate the Mulberry Hills Improvement Company.

By Mr. Wortham, from the Committee on Charitable Institutions--

An act relieving S. C. Long and J. L. Shallcross from further service as special commissioners for lunatic asylums of this Commonwealth.

By Mr. Conner, from the Committee on Propositions and Grievances--

An act prohibiting the voters of Floyd county from voting aid to any railroad except the right of way.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Stewart moved to reconsider the vote by which the Senate had passed the last-named bill.

Mr. Stewart moved to lay that motion on the table,

And the question being taken thereon, it was decided in the affirmative.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Mulligan—

1. A bill to change and add to the magisterial districts in Fayette county and the city of Lexington.

On motion of Mr. Berry—

2. A bill to amend sections 1 and 3 of chapter 101 of the General Statutes relating to Sinking Funds.

On motion of Mr. McCann—

3. A bill to incorporate the Mulberry Hills Improvement Company.

On motion of Mr. Wortham—

4. A bill in relation to the parole of convicts.

On motion of Mr. Mulligan—

5. A bill in relation to grain inspectors in Lexington and Fayette county.

Ordered, That the Committee on Courts of Justice prepare and bring in the 1st and 3d ; the Committee on General Statutes the 2d ; the Committee on Penitentiary and House of Reform the 4th, and the Committee on Immigration and Labor the 5th.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of W. M. Howard of Laurel county ;

An act for the benefit of Silburn Phelps, a minor under twenty-one years ;

An act to amend an act, entitled "An act to establish the Lexington Police and Fire District in Fayette county, and to provide for the government thereof," approved February 27, 1886;

An act to provide for the punishment of petit larceny or wife beating in Crittenden county;

An act to amend chapter 1144, Session Acts 1887 and 1888;

An act for the benefit of the estate of Charles Smith, deceased, of Nelson county;

An act to amend an act, entitled "An act to amend and reduce into one all acts and laws in relation to the town of Trenton, in Todd county," passed March 24, 1884;

An act to incorporate the Citizens Bank of Ashland, Kentucky;

An act incorporating a street railway company in London, Kentucky;

An act to prohibit the carrying of guns on election days within one mile of any voting place in Estill, Floyd, Martin, Pike, Letcher, Knott, Perry, Leslie, Harlan, Clay or Lee counties;

An act to incorporate the Sinking Creek Turnpike Company;

An act to repeal chapter 1449, Session Acts of 1887 and 1888, entitled "An act for the benefit of certain persons in the county of Daveiss;"

An act to prescribe the form of report made out by the stewards of the various charitable institutions in this Commonwealth;

An act to authorize the people in Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts;

An act to create and establish district No. 13, known as Sedalia, in Graves county;

An act to incorporate the Eminence Mutual Live Stock Insurance Company, of Kentucky;

An act to authorize the board of trustees of the town of Glasgow to take the sense of the legal voters of said town upon the question of issuing bonds to improve the streets;

An act to amend an act, entitled "An act to incorporate the Drennon Creek Turpike Company, and to authorize a portion of Henry county to endorse the bonds of said company;"

An act to enable Logan county to work upon its public roads its delinquents in the payment of the county levy tax ;

An act to incorporate the McFerran Memorial Baptist Church, at Louisville Kentucky ;

An act to amend an act, entitled "An act to incorporate the Leitchfield, Big Spring and Northern Railroad, approved April —, 1890 ;"

An act to incorporate the Meade County Fair Association ;

An act to change and define the boundary line of justice's district No. 3, known as Sharp's, in Mercer county ;

An act to incorporate the Barbourville Safety Vault and Trust Company ;

An act to amend the charter of the Owensboro Falls of Rough and Green River Railroad Company ;

An act to declare Gillmore creek, Lacy's Creek and Stillwater creek, in Wolfe county, navigable streams ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to incorporate the Flemingsburg Graded High School ;'"

An act to incorporate the Kentucky and Missouri Bridge Company ;

An act to incorporate the Kentucky Banking Company ;

An act to charter the Carrollton Electric Light and Power Company ;

An act to increase the capital stock of the Bank of Ashland ;

An act to incorporate the Stony Run and Doyleville Turnpike Road Company, in Madison county ;

An act creating a voting place at Blackford, in Webster county ;

An act to incorporate the People's Savings Bank, of Maysville, Kentucky ;

An to provide for the construction of any levee along the water front of the city of Newport ;

An act to incorporate the Colored Cemetery Company of North Middletown, in Bourbon county ;

An act to amend an act, entitled "An act to incorporate the Paris Street Railway Company ;"

An act to amend an act amending the act to incorporate the town of Pleasureville, in Henry county, approved April 2, 1890 ;

An act to incorporate the Greenup County Fair Association ;
An act to further amend the act incorporating the town of Sulphur, in Henry county ;

An act to incorporate the Beattyville Electric Company ;

An act to incorporate the Beattyville Street Transit Company ;

An act to amend the charter of the town of Barbourville ;

An act to incorporate the Republican State League of Kentucky ;

An act to prevent stock from running at large in the county of Bath ;

An act to amend an act incorporating the town of Eminence, approved April 2, 1890 ;

An act to incorporate the Eminence Electric Light, Water and Ice Company ;

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county ;

An act to prevent the sale or furnishing of any spirituous, vinous or malt liquors, or any mixture thereof, or any intoxicating drink within four miles of any voting place in Green, Metcalfe or Monroe counties, Kentucky, on any regular election day ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act authorizing and directing the Secretary of State to furnish the county of Rowan with one set of Reports of the Court of Appeals for use in the circuit court clerk's office in said county ;

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of the Baptist Church, at Hickory Grove, Graves county, Kentucky ;

An act to incorporate the Anchor Fuel and Light Company ;

An act for the benefit of Bedford common school district No. 6 (white), in Trimble county ;

An act for the benefit of white school district No. 28, of Madison county ;

An act to extend the bound line of Beattyville, etc. ;

An act for the benefit of Robert Clarke, late sheriff of Clay county ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

By unanimous consent Mr. Berry reported a bill, entitled

An act to incorporate the Farmers' and Traders' Bank of Sturgis.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred leave to bring in a bill, entitled

An act prohibiting the voters of Pike county from voting aid to any railroad except the right of way,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Stewart moved to reconsider the vote by which the Senate had passed said bill.

Mr. Stewart moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

On motion of Mr. May the Senate then adjourned.

WEDNESDAY, MAY 21, 1890.

The reading of the Journal of yesterday was dispensed with.

Mr. Lindsay proposed the following resolution, viz :

Resolved, That the Public Printer and Binder be, and he is hereby, directed to prepare and print immediately after the final adjournment, in the usual form, a synopsis and list of titles of the acts of the present General Assembly of Kentucky as appears of record in the office of the Secretary of State, and send to the post-office address of each member of the Senate, postage or express charges prepaid, two hundred and fifty copies of such publication ; also send with such publication the pages of the Journals of the Senate that were not laid on the members' tables during the session.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

A message was received from the House of Representatives asking leave to withdraw from the Senate the announcement of the passage by the House of Representatives of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Capital Railway Company.

Which was granted, and said bill was delivered to the messenger.

A message was received from the House of Representatives announcing that they had passed bills of the following titles, viz :

1. An act to incorporate the Capital Railway Company.
2. An act to amend an act to amend the charter of the city of Covington, approved May 13, 1890.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Courts of Justice.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., May 21, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

Lucas Broadhead, Woodford county.

W. S. Crutcher, Spencer county.

Basil Duke Henderson, Kenton county.

W. S. Morrison, Hancock county.

D. Meschendorf, Jefferson county.

Geo. J. Ogle, Jefferson county.

L. Reid, Ohio county.

A. H. Stewart, Pike county.

M. L. Ward, Muhlenberg county.

Arthur Maxwell Wallace, Jefferson county.

W. A. Wickliffe, Muhlenberg county.

Shelly D. Rouse, Kenton county.

Very respectfully

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

Leave was granted to bring in the following bills, viz :

On motion of Mr. Lindsay—

1. A bill to prohibit the keeping of turnpike toll-gates within one mile of the corporate limits of the city of Lawrenceburg.

On motion of same—

2. A bill to transfer certain misdemeanor cases from the Franklin Circuit to the Franklin County Court.

On motion of Mr. Mulligan—

3. A bill to amend an act, entitled "An act to prescribe the duties and privileges of certain officers in relation to the courthouse grounds and the Breckinridge statue in the city of Lexington," approved May 2, 1888.

Ordered, That the Committee on General Statutes prepare and bring in the 1st and 2d, and the and Committee on Immigration and Labor the 3d.

Bills, which originated in the House of Representatives, of

the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. English, from the Committee on Internal Improvements—

An act to amend an act to incorporate the Hubermont Rural Home Company, approved May 1, 1884.

By same—

An act to incorporate the Runyon School House and Four Mile Road Turnpike Company.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to amend an act, entitled “An act to incorporate the city of Maysville, in Mason county.”

By Mr. Goebel, from the Committee on Courts of Justice—

An act establishing a new voting place in the fourth magisterial district, in Kenton county.

By same—

An act to incorporate the town of Bromley, in Kenton county.

By same—

An act to revive and re-enact an act to incorporate the Consumers' Gas Light Company, of Covington.

By Mr. Reynolds, from the Committee on Agriculture and Manufactures—

An act to extend the powers of the trustees of the town of Dover, Kentucky.

By same—

An act to amend an act, entitled “An act to incorporate the Iron Works and Frankfort Turnpike Road Company, in Bourbon county.”

By same—

An act to repeal all acts incorporating the town of Farmers, in Rowan county, and make a new charter for same,

With an amendment to the last-named bill.

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, of the following title, viz:

An act to prevent the establishment of pools, trusts and conspiracies, and to provide punishments therefor.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Catlettsburg ;"

An act to incorporate the Central Kentucky and Ohio River Railroad Company ;

An act to authorize the board of commissioners or court of levy and claims of Martin, Johnson, Floyd, Pike, Lawrence, Letcher and Knott counties to apply the county tax on any railroad built into or through said counties, in payment of expenditures for right way ;

An act to incorporate the Fordsville, Hartford and Southwestern Railroad Company ;

An act to incorporate the Sodowski Lake Association :

An act to incorporate the Louisa and Southeastern Railroad Company ;

An act to amend the charter of the Barbourville Street Railroad Company ;

An act to authorize the Kentucky Central Railroad Company to enter into contracts for purchase, sale or consolidation with companies of this or other States ;

An act to incorporate the St. Patrick's Total Abstinence Society, of the Church of St. James, Brooksville, Kentucky ;

An act to further amend an act, entitled "An act creating a charter for the town of Owenton, in Owen county," approved March 9, 1888 ;

An act to prevent cattle from running at large in Flemingsburg magisterial district, Fleming county ;

An act for the benefit of Hartford College ;

An act to incorporate the trustees of St. Paul's English Evangelical Church ;

An act to prevent stock from running at large in the Chatham and Germantown precincts, in Bracken county ;

An act authorizing and requiring persons living along the Humlong and Sheron turnpike road, in Bracken county, to work out their road-tax on said road ;

An act in relation to the sale of the Danville Gas Light Company's franchises to the town of Danville ;

An act to amend an act, entitled "An act to incorporate the Hawkins' and Cummins' Turnpike Road Company, in Bourbon county," approved April 4, 1884 ;

An act to incorporate the Pineville, Mt. Pleasant and Big Stone Gap Railway Company ;

An act to amend an act, entitled "An act to charter the Leesburg and Silas Meeting house Turnpike Road Company, in Bourbon county ;"

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend and revise the charter of the city of Mayfield, Graves county,' " approved May 1, 1884 ;

An act to amend an act, entitled "An act to authorize and empower Muhlenberg county to fund its outstanding bonded indebtedness," approved March 18, 1878 ;

Resolution for the benefit of George H. Hocker, of Boyle county ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Silver Creek Turnpike Road, in Madison county ;

An act to incorporate the Presbyterian Alliance of Louisville ;

An act to charter the Deposit Bank of Gratz ;

An act to incorporate the Louisville Polytechnic Auditorium ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

By unanimous consent Mr. Breckinridge reported a bill, entitled

An act to authorize the board of council of the town of Danville to remove any of its officers.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent Mr. Conner, reported a bill, entitled

An act to amend an act, entitled "An act to create a turnpike road district in the Verona magisterial district of Boone county, Kentucky, and to provide funds for the purposes of building turnpike roads in said district," approved March 26, 1890,

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Hannah reported a bill, entitled

An act to amend an act to establish a city government for the town of Catlettsburg, in Boyd county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to change the boundary lines between Washington, Anderson and Mercer counties," approved April 15, 1890,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. English, from the Committee on Internal Improvements, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to incorporate the Home Deposit and Trust Company," approved May 14, 1890,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Lunsford, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Harrison County Bank,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Reynolds moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Darby to lay on the table the motion heretofore made by Mr. Mulligan to reconsider the vote by which the Senate had adopted a joint resolution, entitled

Resolution to provide for exhibition of the wealth, resources and progress of the State of Kentucky at the World's Fair to be held at Chicago.

And the question being taken thereon, it was decided in the affirmative.

Mr. Wortham, from the Committee on Charitable Institutions, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to fix the per capita allowance at the lunatic asylums for the pauper lunatics,

Reported the same without amendment.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That for the fiscal year beginning the first day of April, 1890, and for each subsequent year until otherwise provided by law, the amount allowed by each of the lunatic asylums of this Commonwealth for the support of its pauper patients, and for its other expenses as provided in the 21st section of the act approved March 20, 1876, and entitled "An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State," and the amendments thereto, shall be at the rate of one hundred and thirty-five dollars per annum for each pauper patient so supported in said asylum.

§ 2. This act shall take effect from its passage.

Mr. Breckinridge moved that the further consideration of said bill be postponed, and that it be made the special order of the day for Friday, May 23, 1890, at 11 o'clock A. M., and from day to day until disposed of.

Pending the consideration of said motion, the hour of 10:30 o'clock A. M. having arrived, the Speaker announced the special orders of the day.

Mr. Wortham moved that the special orders of the day be postponed until the bill under consideration was disposed of.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Dickerson, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	Chas. Patteson,
W. F. Berry,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. M. Pieratt,
B. F. Cockrell,	J. P. Huff,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	Phil Roberts,
F. W. Darby,	J. H. Lunsford,	J. H. Shearer,
W. W. Dickerson,	J. W. Martin,	J. S. Wortham,
Sam E. English,	D. L. May,	D. W. Wright—26.
G. W. Gates,	John McCann,	

Those who voted in the negative, were—

R. J. Breckinridge,	C. B. Poyntz—2.
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Mr. Dickerson moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Breckinridge, that said bill be made the special order of the day for Friday, May 23, 1890, at 11 o'clock A. M., and from day to day until disposed of, and it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Reynolds, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	Chas. Patteson,
W. F. Berry,	J. P. Huff,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,

B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
W. W. Dickerson,	D. L. May,	D. H. Smith,
Sam E. English,	Jas. H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—32.
William Goebel,	John P. Newman,	

In the negative—R. J. Breckinridge—1.

Resolved, That the title of said bill be as aforesaid.

Mr. Wortham moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wortham moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to establish a court for the trial of criminal and penal causes in the counties of Harlan, Perry, Knott and other counties, and to suppress violence and lawlessness in said counties.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Governor of this Commonwealth shall commission or appoint some circuit or criminal judge of this Commonwealth, or some person, a citizen of this State, who shall have all the qualifications necessary to make him eligible to the office of circuit judge, except that he need not be a resident of the circuit court or criminal court district in which he is appointed to preside or hold court, to attend and preside in a court to be held in the counties of Harlan, Perry and Knott, and in such other counties of this Commonwealth as may be necessary to suppress violence and lawlessness in such counties on a day to be fixed by the Governor to try all criminal and penal cases, which may on that day be pending in the circuit or criminal court of such county, and shall have all the powers and perform all duties now by law required of circuit judges in the trial of criminal or penal cases and said court shall continue in session for such length of time as in the discretion of said judge may be necessary to try and dispose of all the business which may come before it. Said judge may adjourn said court from time to time, fixing by order, entered on the order-book, the day and date of the commencement of each term of court, and all cases which may be on the docket of said court at the time of

any adjournment, shall be continued and stand for trial at the next succeeding term of said court. If the judge of the court be satisfied that for any cause, it will be impracticable to obtain either a grand or petit jury, or both, free of bias in the county wherein the prosecutions are pending, he shall be authorized to order the sheriff, or some other officer or person, the officer or person designated being first duly sworn in open court to discharge the duty faithfully and impartially, to summon a sufficient number of qualified jurors from some other county in which the judge shall believe there is the greatest probability of obtaining impartial jurors, and from the jurors so summoned, both the grand and petit jury may be formed; the grand jury, when formed shall have all of the powers and perform all of the duties, and be under the same liabilities as grand juries of circuit courts in this Commonwealth, as now prescribed by law for the government of grand juries. Before entering upon the discharge of his duties, the judge shall take the oath prescribed by existing laws to be taken by circuit judges.

§ 2. The Governor may also designate or appoint some attorney for the Commonwealth, or some person a citizen of this State, who shall possess all of the qualifications prescribed by law for eligibility to the office of attorney for the Commonwealth, except such person need not be a resident of the circuit or criminal court district in which said court is held, who shall attend said court and perform all of the duties, and be under all of the liabilities now prescribed by law for the government of attorneys for the Commonwealth. Said person shall, before entering upon the discharge of his duties, take the oath prescribed by law to be administered to attorneys for the Commonwealth.

§ 3. The clerk of the circuit court of each county, in which said court may be held, shall be the clerk of said court and shall perform all of such duties as is now prescribed by law for circuit court clerks in all criminal and penal cases or prosecutions, and for his services shall receive the same fees as circuit court clerks in like cases for like services.

§ 4. All indictments which are found and returned into court by the grand jury shall be immediately placed on the docket of said court, and shall stand for trial on such day of the term as may be fixed by the court, and if, when any prosecution is called for trial for any cause, a trial can not be had on that day, the court may postpone the trial to a later day in the term, when it shall again be called for trial, and if, for any cause, it can not then be tried, the court may again postpone the trial to a later day of the term, and may, in its discretion, continue to postpone the trial of any cause from one day to another, and later day in the term, until the case is tried, or the court may continue the case until the next term of the court. All indictments shall stand for trial at the same term of court at which they are found and returned into court.

§ 5. It shall be the duty of the Governor to order and send

not exceeding forty-two soldiers, members of the State Guard, with the requisite number of officers, to the county in which said court is in session, and said troops shall be under the command and direction of the judge of said court whilst said court is in session; and they shall perform such duties as may be required of them by said judge, including the arrest of persons under indictment or attachment, or for whom warrants have been issued, and all other things which may be necessary for the preservation of peace, the enforcement of the laws, the protection of the court and suppressing of violence and crime. All of the expenses of said troops, including their pay, subsistence and transportation, shall be paid out of the State Treasury, but as soon as the Auditor of Public Accounts shall ascertain the amount of such expenditure, he shall at once notify the county judge of such county in which said troops have served, the amount of said expenditure, and such county judge shall at once call together all of the justices of the peace of said county whose duty it shall be to make a levy, both ad valorem and a poll-tax, on all of the taxable property and all of the polls in said county for a sufficient sum to pay one half of all of said expenses as ascertained by the auditor; and said tax shall be collected by the sheriff of said county as other State taxes are collected and paid over in same way, and said sheriff shall be responsible on his official bond for the faithful performance of all of his duties in collecting and paying over said tax.

§ 6. The judge and attorney for the Commonwealth of said court shall, for their services, each receive ten dollars per day whilst engaged in said court, and ten cents per mile going to and returning from said court.

§ 7. This act shall take effect and be in force from and after its passage.

Mr. Stewart moved to amend said bill as follows, viz :

Insert after the word "expenses," where it last occurs in section 5, the words "of the troops while actually in the county."

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
F. W. Darby,	J. W. Martin,	Chas. B. Poyntz,
Sam E. English,	John McCann,	Phil Roberts,
T. L. Glenn,	John P. Newman,	J. H. Shearer,
J. B. Hannah,	A. L. Peterman,	A. H. Stewart—16.
J. P. Huff,		

Those who voted in the negative, were—

W. H. Anderson,	Wm. Goebel,	Chas. Patteson,
W. F. Berry,	John R. Kemp,	B. F. Reynolds,
Ben F. Bradley,	William Lindsay,	D. H. Smith,
R. J. Breckinridge,	James H. Mulligan,	J. S. Wortham,
W. W. Dickerson,	J. W. McCain,	D. W. Wright—16.
G. W. Gates,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Huff, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	John McCann,
W. F. Berry,	T. L. Glenn,	John P. Newman,
Ben F. Bradley,	William Goebel,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
F. W. Darby,	Jas. H. Mulligan,	J. S. Wortham—20.
W. W. Dickerson,	J. W. McCain,	

Those who voted in the negative, were—

J. B. Hannah,	D. L. May,	Phil Roberts,
J. P. Huff,	J. M. Pieratt,	J. H. Shearer,
William Lindsay,	Chas. B. Poyntz,	A. H. Stewart—9.

Resolved, That the title of said bill be as aforesaid.

Mr. Goebel moved to reconsider the vote by which the Senate had passed said bill.

Mr. Goebel moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Huff, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Sam E. English,	J. W. McCain,
W. F. Berry,	G. W. Gates,	John P. Newman,
Ben F. Bradley,	T. L. Glenn,	Chas. Patteson,

R. J. Breckinridge,	William Goebel,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	D. H. Smith,
F. W. Darby,	James H. Mulligan,	J. S. Wortham—19.
W. W. Dickerson,		

Those who voted in the negative, were—

J. B. Hannah,	J. W. Martin,	Phil Roberts,
J. P. Huff,	D. L. May,	J. H. Shearer,
William Lindsay,	John McCann,	A. H. Stewart—11.
J. H. Lunsford,	Chas. B. Poyntz,	

The Senate, according to order, took up for consideration a resolution proposed on yesterday, together with the communication from the Governor, relative to the withdrawal of an enrolled bill, which originated in the House of Representatives, entitled

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company.

(For resolution and communication, see Senate Journal of yesterday.)

Mr. Stewart proposed the following amendment as a substitute for said resolution, viz :

WHEREAS, The Governor, in a communication to the General Assembly on May 20th, pointed out that House bill 1973, entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company, was withdrawn from his hands and was afterwards returned to him irregularly ; and whereas, other allegations have been made in connection with said bill ; therefore, be it

Resolved, That a committee of three Senators be appointed by the Speaker to investigate the method of withdrawal, disappearance from the committee, and its return to the Governor. The said committee to have leave to report at any time.

Mr. Smith moved to amend the substitute proposed by Mr. Stewart to said resolution as follows, viz :

The committee provided for herein shall notify the Governor that it is the wish of this body that said bill shall be returned to the Clerk of the Senate until further consideration by the General Assembly.

Mr. Newman moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

Jas. H. Mulligan,

John P. Newman—2.

Those who voted in the negative, were—

W. H. Anderson,	J. B. Hannah,	Charles B. Poyntz,
W. F. Berry,	J. P. Huff,	B. F. Reynolds,
Ben F. Bradley,	John R. Kemp,	Phil Roberts,
R. J. Breckinridge,	William Lindsay,	J. H. Shearer,
B. F. Cockrell,	J. H. Lunsford,	D. H. Smith,
Reuben Conner,	J. W. Martin,	A. H. Stewart,
F. W. Darby,	D. L. May,	J. S. Wortham,
G. W. Gates,	John McCann,	D. W. Wright—25.
William Goebel,		

Mr. Smith moved that the session of the Senate be extended until the matter under consideration was disposed of.

Mr. Dickerson moved that when the Senate adjourns for the day that it be to meet on to-morrow at 11 o'clock A. M.

Pending the further consideration of which, the hour of one o'clock P. M. having arrived, further action thereon was cut off.

And then the Senate adjourned.

THURSDAY, MAY 22, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in an amendment adopted by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

That they had passed bills and concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other except life insurance companies," approved March 12, 1870.

An act in relation to the licensing of the Frankfort Lottery of Kentucky and the Henry Academy and Henry Female College Lottery.

An act to incorporate the Green River Land Improvement and Investment Company.

Resolution raising a special legislative appropriation committee.

Resolution fixing the day of *sine die* adjournment.

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act to amend an act, entitled "An act to establish a city government for the town of Catlettsburg, in Boyd county."

An act to further amend and regulate the municipal affairs of the town of Shelbyville,

With an amendment to the last-named bill,

Which amendment was, by unanimous consent, taken up and concurred in.

That they had passed a bill, which originated in the Senate, entitled

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company,

With an amendment thereto.

On motion of Mr. Breckinridge—

Ordered, That said amendment be taken up for consideration, And the question being taken on concurring in the adoption of said amendment, it was decided in the negative.

That they had disagreed to a joint resolution, which originated in the Senate, entitled

Resolution directing the Clerks of the two Houses to certify a copy of Senate Bill No. 307, the original bill having been lost.

That they had passed bills and adopted a joint resolution of the following titles, viz :

1. Resolution for the benefit of B. F. Landrum, of McLean county, committe for Lavinia Brackett, a pauper idiot.

2. An act to incorporate the Altamont and Manchester Railroad Company.

3. An act to incorporate the Paducah, Nashville and Charleston Railroad Company.

4. An act to incorporate the Beechwood Banking Company, of Daveiss county.

Which bills and resolution were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills and resolution being dispensed with,

They were referred—the 1st to the Committee on Claims ; the 3d to the Committee on Railroads ; the 4th to the Committee on Banks and Insurance, and the 2d named bill was ordered to be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

That they had passed a bill of the following title, viz :

An act to promote the study of medicine and surgery in the Commonwealth of Kentucky.

Which bill was read the first time.

Ordered, That said bill be read a second time.

Mr. Mulligan objected to the second reading of said bill on this day,

So the same fell into the orders of the day.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky ;

Which was granted.

Whereupon the Speaker appointed Mr. Smith said committee on the part of the Senate.

After a short time, Mr. Smith, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Smith proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to authorize the people in Lagrange and Westport voting precincts in Oldham county to vote a tax for the purpose of building a turnpike road in said precinct ;

Which was granted.

Whereupon the Speaker appointed Mr. McCain said committee on the part of the Senate.

After a short time, Mr. McCain, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. McCain moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCain proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county ;

Which was granted.

Whereupon the Speaker appointed Mr. Dickerson said committee on the part of the Senate.

After a short time, Mr. Dickerson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Dickerson proposed an amendment to said bill,
Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend sections 1 and 3, of chapter 101, of the General Statutes.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be recommitted to the Committee on General Statutes with leave to report at any time.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend the charter of the city of Covington.

By Mr. Conner, from the Committee on Propositions and Grievances—

An act to incorporate the Williamsburg Bridge Company.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to amend the charter of the city of Covington,” approved March 21, 1890.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Greensburg and Glasgow Railroad Company.

By Mr. McCain, from the same committee—

An act to incorporate the Louisville Terminal Railway Company.

With an amendment to the three last-named bills,
Which were adopted.

Ordered, That said bills, the three last named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act, entitled, “An act to amend the charter of Bethel College, of Russellville,” which became a law without the signature of the Governor, approved April —, 1890.

By Mr. Bradley, from the Committee on Railroads—

An act incorporating the Lexington and Jellico Railroad.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of school district No. 15, in Webster county.

By Mr. Cockrell, from the Committee on Agriculture and Manufactures—

An act to repeal an act, entitled “An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company,” approved May 21, 1890.

By same—

An act to authorize the counties of Johnson, Floyd and Pike to exempt the property of the Ohio and Big Sandy Railroad Company from certain taxes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Anderson was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal,

unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to further amend and regulate the municipal affairs of the town of Shelbyville.

After a short time, Mr. Anderson, from said committee, reported that the committee had performed that duty, and that said bill was delivered into the possession of the House of Representatives.

Mr. Gates was appointed a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Central City Mineral Railroad Company.

After a short time, Mr. Gates, from said committee, reported that the committee had performed that duty, and that said bill was delivered into the possession of the House of Representatives.

Mr. Cockrell, from the committee heretofore appointed to withdraw, unsigned, from the hands of the Governor a bill, which originated in the House Representatives, entitled

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876,

Reported that the committee had performed that duty, and said bill was laid on the clerk's desk.

Mr. Cockrell moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Cockrell proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on Lotteries, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to suppress lottery advertisements and publications,
Reported the same without amendment.

Said bill reads as follows :

WHEREAS, The lottery is a most demoralizing and odious system of gambling, degrading to the State, inducing idleness and crime, productive of extensive evils and injury to the people of the Commonwealth, injurious to public morals, and is immoral in all its tendencies : therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That it shall be unlawful for any newspaper, magazine, sheet or periodical published and circulated in this Commonwealth to print or publish therein any advertisement of any lottery, drawing or scheme of chance or any advertisement or announcement indicating where any ticket or chance therein can be had or procured, or to print, advertise, circulate or publish in such newspaper, sheet, periodical or magazine any matter, announcement or statement of or in any wise concerning any lottery, drawing or scheme of chance, whether the same be an advertisement or announcement of a lottery drawing or scheme of chance to occur in the future, or which has occurred in the past, or which it is usual or customary to hold, or hold at any given time, and whether such lottery drawing or scheme of chance be held in this Commonwealth or elsewhere, or to print, advertise, circulate or publish in such newspaper, periodical, sheet or magazine any announcement or statement of the result in whole or in part of any such lottery drawing or scheme of chance.

§ 2. It shall be unlawful for any person to sell, expose or offer for sale any newspaper, magazine sheet, periodical or other written or printed matter in this Commonwealth, containing any such advertisement, announcement or statement as is mentioned in the first section of this act.

§ 3. The publisher or publishers, owners or proprietors of any newspaper, magazine, sheet or periodical violating the 1st section of this act, or any part or provision thereof, shall be deemed guilty of a misdemeanor and shall, upon indictment and conviction thereof, in any court of competent jurisdiction, be fined not less than \$1,000 nor more than \$5,000, and shall be confined in the county jail not less than thirty days nor more than six months for each offense, and if such newspaper, magazine, sheet or periodical be published or owned by a corporation it shall incur the fine above mentioned and the president and managing officers of the corporation, either or both, shall be imprisoned as above mentioned.

§ 4. Any person violating the second section of this act shall

be punished by fine of not less than \$300 nor more than \$1,000, and shall be imprisoned not less than ten nor more than thirty days for each offense, and each sale or exposure for sale shall be regarded as a separate offense.

§ 5. It shall be the duty of judges of courts having criminal jurisdiction to give this act in his charge to each grand jury hereafter empaneled in the courts of this Commonwealth.

§ 6. This act shall take effect from and after its passage.

Mr. Mulligan proposed to amend said bill as follows, viz :

Amend by adding to next to last section : "That any person who shall read any newspaper, magazine, circular, or any other thing containing any advertisement of any lottery drawing or scheme for the distribution of prizes to take place in the future, or which took place in the past, shall be fined; on conviction, not exceeding one hundred dollars."

And the question being taken thereon, it was decided in the negative.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and McCain, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	J. M. Pieratt,
B. F. Cockrell,	John R. Kemp,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	Phil Roberts,
F. W. Darby,	J. W. Martin,	J. H. Shearer,
G. W. Gates,	Jas. H. Mulligan,	J. S. Wortham,
William Goebel,	A. L. Peterman,	D. W. Wright—19.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	R. J. Breckinridge,	J. W. McCain,
Ben F. Bradley,	William Lindsay,	Chas. Patteson—6.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 22, 1890. }

Gentlemen of the Senate and House of Representatives :

On the 20th inst. I informed the General Assembly of all the circumstances attending the withdrawal from the Executive office of House bill No. 1973, and of its having been subsequently restored to this office, and requested the General Assembly to advise me of their wishes in regard to withdrawing it for reconsideration. Two days having elapsed without my receiving expression of their wishes on the subject, and the ten days allotted by the Constitution for executive consideration having expired last night, it became necessary for the Executive to take some action on the matter. Desiring to comply with the wishes of the General Assembly, I deferred my action to the last moment. Finding nothing in the bill to which I could urge any objection, and being advised that it was legitimately before me, at the last moment I considered it my duty to approve the bill, which would have become a law without my signature, and take this method of advising the General Assembly of my action.

Respectfully,

S. B. BUCKNER.

The Senate, according to order, took up for consideration the resolution heretofore proposed by Mr. Newman.

(For resolution, see Senate Journal, May 20, 1890.)

Mr. Smith withdrew the amendment heretofore proposed by him to the substitute heretofore proposed by Mr. Stewart to said resolution.

(For proposed substitute and amendment, see Senate Journal of yesterday.)

The question was then taken on the adoption of the substitute proposed by Mr. Stewart to said resolution, and it was decided in the affirmative.

The question was then taken on the adoption of said resolution as amended, and it was decided in the affirmative.

The Speaker announced the appointment of Messrs. Bradley, Kemp and Anderson, as the committee in pursuance of said resolution.

On motion of Mr. Reynolds—

Ordered, That the Clerk call the roll of the Senators, and that each Senator be entitled to call up two bills.

By unanimous consent Mr. Newman withdrew the motion heretofore entered by him to reconsider the vote by which the Senate had passed a bill, which originated in the Senate, entitled

An act to amend the charter of the city of Louisville, as to city courts.

Mr. Conner, from the Committee on Propositions and Grievances, to whom was referred an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Goose Pond Drainage and Improvement Company,

Reported the same, with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886,

Together with the message of the Governor vetoing said bill.

(For bill and veto message, see Senate Journal April 24th, page 1338.)

And the question being taken on the passage of said bill, the objections of the Governor to the contrary notwithstanding, it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	William Lindsay,	John P. Newman,
Reuben Conner,	J. H. Lunsford,	A. L. Peterman,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	D. L. May,	B. F. Reynolds,
T. L. Glenn,	James H. Mulligan,	Phil Roberts,
J. B. Hannah,	John McCann,	J. H. Shearer,
J. P. Huff,	John McCann,	J. S. Wortham—21.

Those who voted in the negative, were—

W. F. Berry,	F. W. Darby,	J. J. Paul,
Ben F. Bradley,	Sam E. English,	J. M. Pieratt,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
B. F. Cockrell,	Chas. Patteson,	D. W. Wright—12.

So said bill was passed, the objections of the Governor to the contrary notwithstanding.

Mr. Dickerson moved to reconsider the vote by which the Senate had passed said bill, the objections of the Governor to the contrary, notwithstanding.

Mr. Dickerson moved to lay that motion on the table.

Mr. Breckinridge moved that when the Senate adjourns, it be to meet at 3 o'clock P. M., on this day.

And the question being taken thereon, it was decided in the affirmative.

Mr. Smith moved to reconsider the vote by which the Senate had adopted the motion made by Mr. Breckinridge, that when the Senate adjourns it be to meet at 3 o'clock P. M. on this day.

Mr. Smith moved to lay that motion on the table, and it was decided in the affirmative.

The question was then taken on the motion made by Mr. Dickerson to table the motion made by him to reconsider the vote by which the Senate had passed said bill, the objections of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Breckinridge and Roberts, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson.	J. P. Huff,	Jno. P. Newman,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
Reuben Conner,	J. W. Martin,	B. F. Reynolds,

W. W. Dickerson,	D. L. May,	Phil Roberts,
G. W. Gates.	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—20.
J. B. Hannah,	John McCann,	

Those who voted in the negative, were—

W. F. Berry,	Sam E. Engilsh,	J. M. Pieratt,
Ben F. Bradley,	John R. Kemp,	D. H. Smith,
R. J. Breckinridge,	Charles Patteson,	D. W. Wright—11.
F. W. Darby,	A. L. Peterman,	

Resolved, That the title of said bill be as aforesaid.

In pursuance of the provisions of a joint resolution, which originated in the Senate, and was adopted by the two Houses, the Speaker announced the appointment of Messrs. Reynolds, Patteson and McCain as Special Committee on Appropriations from the Senate.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 22, 1890. }

Gentlemen of the Senate and House of Representatives :

The House of Representatives having adopted a resolution requesting the Governor to withdraw his resignation as a member of the Commission of the Sinking Fund, which has been tendered in a communication to the Legislature, and believing that a compliance with their request will tend to promote the public interests, I hereby respectfully ask to recall from your hands the tender of my resignation of that position.

In doing this, I desire to assure the General Assembly of my earnest will to co-operate with them in all measures tending to promote the wellfare of the Commonwealth.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Berry—

Ordered, That said request be granted, and that the paper containing said resignation be returned to the Governor.

By unanimous consent Mr. Darby reported a bill, entitled

An act for the benefit of E. C. Flannery and J. P. Pierce, ex-sheriffs of Crittenden county, and other sheriffs and ex-sheriffs.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Sundry amendments were proposed to said bill.

Which were adopted.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration the motion heretofore entered by Mr. Reynolds to reconsider the vote by which the Senate had passed a bill, which originated in the House of Representatives, entitled

An act to incorporate the Harrison County Bank.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Reynolds proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to prevent obstructions of turnpike roads in Anderson county ;

An act to incorporate the Deane-Field Coal Mining and Coke Company ;

An act fixing the compensation of the Jessamine circuit court clerk for making a general index of the records of his office ;

An act to incorporate the Cincinnati, Covington and Rosedale Railroad Company ;

An act to provide compensation for persons required to appraise real estate before the same is offered for sale under order of court, or a judgment of court, in the city of Louisville, and county of Jefferson ;

An act to incorporate the Lebanon and North and South Railroad ;

An act to incorporate the Louisa Street Railway Company ;

An act to incorporate the Catlettsburg Street Railway Company ;

An act to incorporate D. V. Auxier Post, No. 73, G. A. R., in Johnson county ;

An act to incorporate the Roberts' Road and Cumberland Ferry Turnpike Road, in Jessamine county ;

An act to establish a public ferry at or near Pond Creek, Pike county ;

An act to incorporate the Trader's and Deposit Bank ;

An act to incorporate the Nicholasville Water Works Company ;

An act to declare certain tributaries of Middle creek, in Floyd county, navigable streams ;

An act to prohibit the voters of Adair county from voting a tax in aid of railroads except for right of way ;

An act to amend an act, entitled "An act to incorporate the Henderson Trust Company" approved March 13, 1886, and the act relating thereto ;

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto ;

An act to declare Marrowbone creek, in Cumberland county, a navigable stream ;

An act to repeal a certain portion of section 33 of an act to incorporate the city of Flemingsburg, approved May, 1890 ;

An act to amend chapter 243, Session Acts of 1890 ;

An act to amend an act, entitled "An act to incorporate the city of Maysville, in Mason county ;

An act to amend an act, entitled "An act to establish the county of Lee," approved January 29, 1870 ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Covington and Lexington Turnpike Road Company ;

An act for the benefit of common school district No. 37, Butler county ;

An act for the benefit of Mrs. Patrick Craven, of Maysville ;

An act to amend the charter of the town of Ford ;

An act to amend an act, entitled "An act to incorporate the Kentucky Chautauqua Assembly," approved January 25, 1888 ;

An act to incorporate the Hazel Green Cemetery Company, at Hazel Green, Wolfe county ;

An act incorporating the Henderson Fair Association ;

An act to extend the corporate limits of the city of Ashland, in Boyd county ;

An act to amend an act, entitled "An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company ;"

An act to amend an act, entitled "An act for the benefit of the city of Ashland, and to amend certain acts relating to the city and town of Ashland," approved March 26, 1878 ;

An act to amend and reduce into one the several acts in relation to the town of Rochester, Butler county, approved February 7, 1884 ;

An act making Mud river the line between Butler and Muhlenburg counties ;

An act for the benefit of W. F. Beard Lodge No. 583, F. A. M., and Franklin Grove Lodge No. 261, I. O. O. F ;

An act authorizing the constable of the Bowling Green magisterial district No. 1, in Warren county, to appoint a deputy in said district ;

An act authorizing the issuance of five hundred thousand dollars of municipal bonds of the city of Louisville ;

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884 ;

An act to incorporate the Excelsior Gas Company ;

An act for the benefit of Vina Smith, pauper idiot of Butler county ;

An act to incorporate the Blue Grass Club ;

An act to authorize the court of claims of Shelby county to levy an ad valorem tax ;

An act to incorporate the New Haven Bank and Trust Company ;

An act to print sheriffs' and commissioners' advertisements of land sales, etc., in Trimble county, in county paper ;

An act to authorize the Fayette county court to subscribe stock in the Fort Spring and Pinkard Turnpike Road Company ;
And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act regulating the annual allowance to pauper idiots, and providing for the payment of the same,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, There are being grave impositions practiced upon the Commonwealth of Kentucky by the enormous increase of the pauper idiot list ; now, in order to correct this imposition, and to relieve the people of the burden of so much taxation, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the annual allowance to a pauper idiot shall be seventy-five dollars, of which fifty-five dollars shall be paid out of the State Treasury in the manner now directed by law, and twenty dollars by the county court of the county wherein said idiot may reside.

§ 2. No allowance shall be paid the committee of a pauper idiot by the Auditor until said committee shall have filed with the Auditor a copy of the order of his county court allowing the portion due thereof by said county, and his own affidavit that the same has, in good faith, been paid.

§ 3. This act shall take effect from its passage, and all laws inconsistent herewith are hereby repealed.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Stewart and Shearer, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	F. W. Darby,	James H. Mulligan,
W. F. Berry,	W. W. Dickerson,	John McCann,
Ben F. Bradley,	Sam E. English,	Ben F. Reynolds,
R. J. Breckinridge,	T. L. Glenn,	D. H. Smith,
B. F. Cockrell,	Wm. Goebel,	D. W. Wright—17.
Reuben Conner,	John R. Kemp,	

Those who voted in the negative, were—

J. B. Hannah,	D. L. May,	J. M. Pieratt,
J. P. Huff,	J. W. McCain,	Phil. Roberts,
William Lindsay,	Chas. Patteson,	J. H. Shearer,
J. H. Lunsford,	J. J. Paul,	A. H. Stewart,
J. W. Martin,	A. L. Peterman,	J. S. Wortham—15.

Resolved, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend section 8 of article 6 of chapter 92 of the General Statutes, entitled "Revenue and Taxation."

Mr. Breckinridge moved that said bill be returned to the House of Representatives, the same having been withdrawn therefrom by the Senate.

And the question being taken on said motion and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

A message was received from the Governor, by Hon. E. Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Presbyterian Alliance of Louisville.

An act to incorporate the Silver Creek Turnpike Road Company, in Madison county.

An act to incorporate the Louisville Polytechnic Auditorium.

An act for the benefit of Mrs. Patrick Cravens, of Maysville.

An act to authorize the Fayette County Court to subscribe stock in the Fort Spring and Pinkard Turnpike Road Company.

An act to incorporate the Henderson Fair Association.

An act to amend an act, entitled "An act to incorporate the West Virginia, Pineville and Tennessee Railroad Company."

An act to extend the boundary line of Beattyville.

An act for the benefit of white school district No. 28 of Madison county.

An act for the benefit of Bedford common school district No. 6, white, in Trimble county.

An act to prohibit the sale of spirituous, vinous or malt liquors within two miles of the Baptist Church at Hickory Grove, Graves county, Kentucky.

An act to incorporate the Anchor Fuel and Light Company.

An act for the benefit of Robert Clark, late sheriff of Clay county.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz:

EXECUTIVE DEPARTMENT,
FRANKFORT, KY., May 22, 1890. }

Gentlemen of the Senate and House of Representatives:

As your session is drawing to a close I may be pardoned for inviting your attention to the consideration of legislative questions of much public importance now pending before one branch or the other of the General Assembly, and on which action is incomplete, and also to other matters on which it is deemed proper to take action before final adjournment.

I am advised that amongst other bills of a public character now under consideration, and on which action is desirable, are the following:

Bill in regard to the Sinking Fund (makes it unnecessary to transfer to that fund from General Expenditure Fund until there is need for money in the Sinking Fund).

Bill to restore right of State to vote its stock in turnpike roads.

Bill to prescribe mode of ascertaining value of railroad bridges across the Ohio.

Bill (general) in regard to Building and Loan Associations in Kentucky.

Bill in regard to State Militia (to provide for the payment of, when called upon to sustain courts in counties of the State).

Bills in regard to the Penitentiary.

Bill in regard to Record Books for the counties.

Bill to impose tax on Sleeping Car Companies in the State.

Bill to extend time for final settlement of Sheriffs to first Monday in January.

Bill to authorize the State to sue for taxes.

Bill to impose privilege tax on organizations of corporations.

Bill in regard to idiots. (Divides cost of maintenance between State and county).

Bill creating the office of Bank Examiner.

Bill in regard to public printing. (To reduce the number of copies of acts printed).

Many of these bills have an important bearing on the revenue of the State. The General Assembly can best judge of those which should command their first attention, but it may be permitted me to suggest that amongst those of prime importance, seem—

1. The penitentiary question.

All doubts which may have been raised as to the validity of the existing lease should be removed either by abrogating or confirming the contract, as the wisdom of the General Assembly may determine.

2. The bill to authorize the State to sue for taxes. Large amounts are due the State which can not be recovered under existing laws.

3. The bill for ascertaining the value of bridges across the Ohio river.

It was suggested to a former Legislature that the assessment be placed in the hands of the Railroad Commissioners.

4. The bills in regard to record books, which should be paid for by the counties, and in regard to militia employed in the

different counties of the State, will also command consideration at your hands.

5. The bill reducing the number of copies of private and local acts to be printed.

The number of acts passed by the last Legislature was 1,571. The number passed by the present General Assembly which have already become laws amount to 1,702.

In consequence of the large number of voluminous town charters recently enacted, it is believed that the acts of the present session can not be compressed into less than four large volumes. When it is considered that all acts of a public character could be included in one small volume, and that under existing laws three thousand copies of all the acts are published, the unnecessary cost to the State for the printing of three thousand copies or more than nine thousand volumes of acts of no public importance whatever, and of interest only to a few individuals, becomes at once apparent. It is estimated that the cost of each one of these volumes is about five dollars, making an unnecessary cost to the State for the printing of private acts of from \$40,000 to \$45,000.

It is recommended that there be printed three thousand five hundred copies of the general acts, to provide for the increased number of officials, and that the number of copies of the private and local acts be reduced to three hundred copies, which would be adequate to supply every county, the public offices and libraries. In this way it is believed that a sufficient amount would be saved from public printing alone to provide for the proposed addition to the lunatic asylums.

It is further recommended that an act be passed requiring that all fines adjudged by any court for violations of the penal laws of the State be paid to the trustees of the jury fund in the several counties. Great inequality exists now in this respect. Many of the cities and towns derive the benefit of a large portion of these fines, while many others pay the fines properly into the State Treasury. The rule should be uniform in order to equalize the burdens of taxation. Many thousand dollars would be saved to the Treasury by the enactment of such a law.

When the sheriffs first pay their collections to the Auditor, there is annually a large accumulation of funds in the Treasury

lying idle before legal demands are made for its disbursement. If authority were given to the Treasurer, subject to the approval of the Commissioners of the Sinking Fund, to invite competition from different good banks to hold these balances until required, paying interest thereon, it is estimated that a sufficient amount of interest could be thus earned by the State to meet the entire expenses of the Geological Survey.

Your attention is also earnestly invited to the necessity of additional legislation in connection with the disturbed condition of some of the counties of the Commonwealth, and the propriety of strengthening the hands of the judicial and executive officers in the administration of justice. It is understood that you are already considering remedial legislation in this regard, and that your own appreciation of the importance of the questions involved will result in a satisfactory solution of the many of these difficulties.

The importance of legislation having for a result the curtailing of expenses and of bringing into the Treasury all moneys properly belonging to it will be apparent when it is considered that instead of having a surplus in the Treasury on the first of next July of \$171,845.42, as estimated in the Auditor's report of last year, there will be an actual deficit that date, as estimated by the present Auditor, based upon the actual expenditures up to the present time.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Dickerson—

Ordered, That said communication be referred to the Committee on the Judiciary, with leave to report by bill or otherwise, at any time.

By unanimous consent, Mr. Mulligan withdrew the motion heretofore entered by him, to reconsider the vote by which the Senate had passed a bill, entitled

An act to punish proprietors, owners or managers of circuses, menageries, or other exhibitions for imposing upon the people by false or fraudulent advertisements.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act concerning the Treasury of Kentucky.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That from and after this act goes into effect all public moneys and dues shall be paid into and out of the Treasury as provided in this act.

§ 2. All public moneys and dues to the Commonwealth shall be paid into the Treasury upon the written permit or authority of the Auditor, as now, or may hereafter be, provided by law ; and the same, when paid to the Treasurer, shall be by him, on the same day, deposited in one of the State depositories hereinafter designated.

§ 3. The Auditor shall number and date the permits issued by him to pay money into the Treasury, beginning the first day of July, and ending the thirtieth day of June, inclusive, in each fiscal year, so as to exhibit the number, date and amount of each permit, and from whom and for what the money to be paid into the Treasury thereunder is payable. And the Treasurer, in making deposits in the State depositories, will do so by the numbers, and in the amounts corresponding with the Auditor's permits.

§ 4. No money shall be paid out of the Treasury, except upon the warrant of the Auditor, drawn upon the Treasurer, as now, or may hereafter, be provided by law, and then only by the check of the Treasurer upon a designated State depository, certified by the Auditor ; and no such check shall be given by the Treasurer, even though the Auditor issues a warrant therefor, unless the law under which the money may be claimed expressly directs and orders that it shall be paid out of the Public Treasury.

§ 5. The Auditor shall date and number his warrants, beginning the first day of July, and ending the thirtieth day of June, inclusive, in each fiscal year, so as to exhibit the number, date and amount of each warrant, on what account issued, and to whom payable. And the Treasurer shall date and number his checks on the State depositories, beginning the first day of July, and ending the thirtieth day of June, inclusive, in each fiscal year, and shall on each indicate the number of the Auditor's warrant or warrants under which the same is issued.

§ 6. The Governor shall have the authority to require, at any time, a full statement of the condition of the Treasury from the Auditor, the Treasurer and the depositories.

§ 7. The president or cashier of each of said State depositories shall, at the close of the business hours each day, furnish a statement over his official signature, to the Auditor, showing the amounts deposited therein by, and paid out on, the checks of the Treasurer during said day, and the balance then remaining therein, to the credit of the Treasury.

§ 8. The Farmers' Bank of Kentucky and the Branch Bank of Kentucky, at Frankfort, are hereby continued and constituted the State depositories ; and all public money of the State now in, or hereafter received into the Treasury, shall be deposit-

ed in said depositories, in amounts as nearly equal as convenience will permit. And the Governor may, from time to time, as to him may seem necessary, examine into the condition of the State depositories and the manner in which the State's account is therein kept, and if he shall at any time find that the capital of any depository has become impaired, he shall have power to cause the State's deposit to be withdrawn therefrom, and temporarily name another depository, which, when so named, shall, with its president and cashier be subject to the provisions of this act. For services rendered by said depositories there shall be no charges made of any character or description.

§ 9. For any willful violation of the provisions of this act, the Auditor, Treasurer, president or cashier, of the aforementioned depositories may, upon indictment and conviction, be fined at the discretion of the trial jury.

§ 10. This act shall take effect from and after the thirtieth day of June, 1890.

The committee had heretofore proposed the following amendment to said bill, viz :

Amend section 8 by adding : And said banks shall each pay to the Commonwealth, in proportion to the deposits received, interest at the rate of two per centum per annum upon the average daily deposits on hand at the close of banking hours, the same to be paid to the Treasurer at the end of each six months ; that is, on the 31st day of December and the 30th day of June in each year, commencing on the 31st day of December, 1890. If said banks, or either of them, shall decline to accept the deposits of the State upon these terms, then in lieu of the banks so declining, the Governor shall name from the other good and solvent State banks a depository or depositories willing so to accept the same, in the manner and upon the conditions and subject to the duties and limitations hereinbefore set out.

Mr. Dickerson moved that the session of the Senate be extended until the bill under consideration was disposed of.

Mr. Mulligan moved that the Senate do now take a recess until 3 o'clock P. M.

And the question being taken thereon, it was decided in the affirmative.

And then the Senate took a recess until 3 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, and resumed the consideration of the bill aforesaid.

Mr. Darby proposed to amend said bill as follows, viz :

That the Farmers' Bank of Kentucky and Branch Bank of Kentucky are hereby designated as depositories in which (unless as hereinafter provided) all money received by the Treasurer, as such, shall be deposited in amounts as nearly equal as convenience will permit. The Treasurer shall, as often as may seem proper, examine into the condition of said banks, and if at any time, on account of the accumulation of the money of the State therein, or for other reason, giving due consideration to question of greater rate of interest to be had, if any, the Treasurer shall be of opinion that the best interest of the State will be subserved by depositing any part or all of the money of the State under his control in other bank or banks organized under the laws of this Commonwealth, or if said banks or either of them shall refuse to receive said deposits, or to pay satisfactory rate of interest thereon, then he may so deposit in other bank or banks ; and may withdraw from either or both of said banks named, and so re-deposit any or all of the money of the State already deposited therein, but in selecting other bank or banks in which to deposit, he shall have the advice and consent of the Commissioners of the Sinking Fund.

§ 2. The banks named as depositories, and those to be selected by the Treasurer under provisions of this act, if any, shall pay to the State such interest or daily balances as may be agreed upon between them and the Treasurer, same to be credited to Treasurer's account at end of each month, and by him reported to the Auditor, and by the Auditor charged to the Treasurer in his monthly settlements.

§ 3. This act shall take effect from June 30, 1890.

Mr. Dickerson proposed to amend said bill as follows, viz :

Amend by adding to section 8 the words : Nothing in this act shall be construed to permit the Commissioners of the Sinking Fund from discharging their duties under chapter 101 of the General Statutes, or that may hereafter be required by law.

Mr. Mulligan proposed to amend said bill as follows, viz :

Amend original bill by striking out all of the eighth section embraced within the first, second, third, fourth, fifth and sixth lines so far as to include the word "permit," in said sixth line, preceding the words "and the Governor."

Mr. Dickerson proposed to amend the amendment proposed by the committee to said bill as follows, viz :

Amend by inserting before the word "two," in the third line, the words "not less than."

And the question being taken on the adoption of the amendment proposed by Mr. Dickerson to the amendment offered by the committee, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by the committee to said bill as amended, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Darby to said bill, and it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Dickerson to said bill, and it was decided in the affirmative.

Mr. Bradley moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Peterman, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	D. L. May,	Chas. B. Poyntz,
F. W. Darby,	J. W. McCain,	B. F. Reynolds,
William Goebel,	John McCann,	Phil. Roberts,
J. P. Huff,	A. L. Peterman,	A. H. Stewart—14.
John R. Kemp,	J. M. Pieratt,	

Those who voted in the negative, were—

W. F. Berry,	G. W. Gates,	Jas. H. Mulligan,
Ben F. Bradley,	T. L. Glehn,	John P. Newman,
R. J. Breckinridge,	J. B. Hannah,	Chas. Patteson,
B. F. Cockrell,	William Lindsay,	D. H. Smith,
Reuben Conner,	J. H. Lunsford,	D. W. Wright—16.
W. W. Dickerson,		

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	Chas. Patteson,
F. W. Darby,	James H. Mulligan,	J. M. Pieratt—8.
William Goebel,	John McCann,	

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	John P. Newman,
Ben F. Bradley,	J. B. Hannah,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	Chas. B. Poyntz,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
W. W. Dickerson,	D. L. May,	D. W. Wright—19.
G. W. Gates,		

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry,	J. B. Hannah,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	Chas. B. Poyntz,
R. J. Breckinridge,	William Lindsay,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	D. H. Smith,
Reuben Conner,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	James H. Mulligan,	J. S. Wortham,
G. W. Gates,	John McCann,	D. W. Wright—24.

Those who voted in the negative, were—

F. W. Darby,	J. P. Huff,	A. L. Peterman,
William Goebel,	J. W. Martin,	J. M. Pieratt—6.

Mr. Smith moved to reconsider the vote by which the Senate had passed said bill.

Mr. Smith moved to lay said motion on the table.

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. M. Pieratt,	D. W. Wright—4.
F. W. Darby,		

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman.
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	D. L. May,	B. F. Reynolds,
Reuben Conner,	Jas. H. Mulligan,	J. H. Shearer,
W. W. Dickerson,	John McCann,	D. H. Smith,
G. W. Gates,	John P. Newman,	J. S. Wortham—21.

Mr. Mulligan asked for a division of said question.

The Speaker decided that the question was not susceptible of a division.

Mr. Mulligan appealed from the decision of the Chair, and sent the following appeal to the Clerk's desk, viz :

The question before the House was the bill for the better protection of the Treasury. A motion having been made that the vote by which the bill was passed be reconsidered, and that that motion be laid on the table, the Senator from Fayette demanded a division of the question, upon the ground that the question as put embraced two questions, *i. e.*, a motion to reconsider and a motion to lay that motion on the table. The Chair overruled the demand, and decided that the question was single and not divisible, and so refused to divide it, from which ruling of the Chair the Senator appeals, and presents this, his appeal, to the Senate.

J. H. MULLIGAN,
WM. GOEBEL.

Mr. Smith being called to and taking the Chair, Mr. Lindsay moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	A. L. Peterman,
W. F. Berry,	John R. Kemp,	J. M. Pieratt,
Ben F. Bradley,	William Lindsay,	Chas. B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	J. W. McCain,	D. H. Smith,
W. W. Dickerson,	John P. Newman,	J. S. Wortham,
G. W. Gates,	Chas. Patteson,	D. W. Wright—25.
T. L. Glenn,		

Those who voted in the negative, were—

William Goebel, Jas. H. Mulligan, A. H. Stewart—3.

The Speaker resuming the Chair,

Mr. Goebel moved that the Senate do now take a recess until 9 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	James H. Mulligan,	J. M. Pieratt—5.
William Goebel,	A. L. Peterman,	

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	Chas. Patteson,
Ben F. Bradley,	J. H. Lunsford,	Chas. B. Poyntz,
R. J. Breckinridge,	J. W. Martin,	D. H. Smith,
B. F. Cockrell,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	J. W. McCain,	J. S. Wortham,
G. W. Gates,	John P. Newman,	D. W. Wright—19.
John R. Kemp,		

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	A. L. Peterman,
Reuben Conner,	J. W. Martin,	J. M. Pieratt,
F. W. Darby,	James H. Mulligan,	Phil Roberts—9.

Those who voted in the negative, were—

W. F. Berry,	John R. Kemp,	Charles B. Poyntz,
Ben F. Bradley,	William Lindsay,	B. F. Reynolds,
R. J. Breckinridge,	J. H. Lunsford,	J. H. Shearer,
B. F. Cockrell,	D. L. May,	D. H. Smith,
W. W. Dickerson,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John P. Newman,	J. S. Wortham,
T. L. Glenn,	Chas. Patteson,	D. W. Wright—22.
J. B. Hannah,		

Mr. Mulligan moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Dickerson, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	T. L. Glenn,	John P. Newman,
W. F. Berry,	John R. Kemp,	Chas. Patteson,
R. J. Breckinridge,	William Lindsay,	Chas. B. Poyntz,
B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	D. L. May,	D. H. Smith,
W. W. Dickerson,	Jas. H. Mulligan,	J. S. Wortham—20.
G. W. Gates,	J. W. McCain,	

In the negative—none.

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	Jas. H. Mulligan,	Chas. B. Poyntz,
William Goebel,	A. L. Peterman,	B. F. Reynolds,
J. W. Martin,	J. M. Pieratt,	Phil Roberts—9.

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	John McCann,
Ben F. Bradley,	John R. Kemp,	John P. Newman,
R. J. Breckinridge,	William Lindsay,	Chas. Patteson,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	D. L. May,	D. H. Smith,
W. W. Dickerson,	J. W. McCain,	J. S. Wortham—19.
G. W. Gates,		

Mr. Mulligan moved that when the Senate adjourn for the day, that it be to meet to-morrow at 9:55 o'clock A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	Chas. Patteson,
W. F. Berry,	William Lindsay,	A. L. Peterman,
Ben F. Bradley,	J. H. Lunsford,	B. F. Reynolds,
R. J. Breckinridge,	D. L. May,	Phil Roberts,
B. F. Cockrell,	Jas. H. Mulligan,	J. H. Shearer,
Reuben Conner,	J. W. McCain,	D. H. Smith,
W. W. Dickerson,	John McCann,	J. S. Wortham,
G. W. Gates,	John P. Newman,	D. W. Wright—25.
T. L. Glenn,		

Those who voted in the negative, were—

William Goebel,	J. M. Pieratt,	C. B. Poyntz—3.
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The question was then taken on the adoption of the motion made by Mr. Smith, to lay on the table the motion made by him to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	John McCann,
Ben F. Bradley,	John R. Kemp,	John P. Newman,
R. J. Breckinridge,	William Lindsay,	Chas. Patteson,

B. F. Cockrell,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	D. L. May,	D. H. Smith,
W. W. Dickerson,	Jas. H. Mulligan,	J. S. Wortham,
G. W. Gates,	J. W. McCain,	D. W. Wright—22.
T. L. Glenn,		

Those who voted in the negative, were—

W. H. Anderson,	A. L. Peterman,	Phil Roberts,
F. W. Darby,	J. M. Pieratt,	J. H. Shearer—8.
J. W. Martin,	Chas. B. Poyntz,	

Mr. Mulligan moved to reconsider the vote by which the Senate had fixed to-morrow at 9:55 o'clock A. M. as the time to which it would adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel. were as follows. viz :

Those who voted in the affirmative. were—

W. H. Anderson.	Jas. H. Mulligan—2.
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Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	Chas. B. Poyntz,
Ben F. Bradley,	John R. Kemp,	B. F. Reynolds,
R. J. Breckinridge,	William Lindsay,	J. H. Shearer,
B. F. Cockrell,	J. H. Lunsford,	D. H. Smith,
Reuben Conner,	D. L. May,	J. S. Wortham,
F. W. Darby,	J. W. McCain,	D. W. Wright—18.

On motion of Mr. Lindsay, the Senate then adjourned.

FRIDAY, MAY 23, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives announcing that they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to repeal all acts incorporating the town of Farmers, in Rowan county, and make new charter for same.

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mt. Sterling," approved March 7, 1876.

An act to amend the revenue laws of this Commonwealth, giving the State the power to sue for taxes due.

An act to incorporate the C. T. Rice Cemetery Company near Union, in Boone county.

An act to incorporate the Harrison County Bank.

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county.

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county.

An act to incorporate the Louisville Terminal Railway.

An act for the benefit of Mrs. Bettie E. Edmunds, of Marion county.

An act to authorize the people in Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,' " approved April 25, 1888.

That they had passed bills, which originated in the Senate of the following titles, viz:

An act to incorporate the Farmers' and Traders' Bank of Sturgis.

An act for the benefit of Eckstein Norton, trustee of Evermont Hope Norton.

An act to amend an act, entitled "An act to establish a city government for the town of Carlisle," approved May 5, 1880.

An act to amend an act, entitled "An act to change the boundary line between Washington, Anderson and Mercer counties," approved April 15, 1890.

That they had passed, with amendments thereto, bills which originated in the Senate, of the following titles, viz :

1. An act to incorporate the Central City Mineral Railroad Company.

2. An act to amend chapter 57 of the General Statutes, entitled "Injuries to Person or Property."

Ordered, That said bills, together with the amendments thereto, be referred—the 1st to the Committee on Railroads, and the 2d to the Committee on Courts of Justice.

That they had concurred in an amendment adopted by the Senate, to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to amend the charter of the city of Covington," approved March 21, 1890,

With an amendment to the amendment.

That they had passed bills of the following titles, viz :

1. An act providing a road law for Trigg county.

2. An act to incorporate the Louisville Belt Railway and Transfer Company.

3. An act to amend an act, entitled "An act to extend the court of common pleas in the First Judicial District to include the county of Graves, for the trial of equity causes," approved May 8, 1884, so as to give jurisdiction of common law actions and special proceedings.

4. An act to re-adjust and fix the time of holding the court of common pleas in the First Judicial District.

5. An act for the benefit of Louis Sandlin, ex-sheriff of Jackson county.

6. An act to amend the charter of the Mississippi Valley and Cumberland Gap Railroad.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

That they had passed a bill, entitled

An act to punish petit larceny in Union county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Mr. Berry proposed an amendment to said bill as a substitute therefor,

Which was adopted.

Ordered, That said bill, as amended, be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to promote the study of medicine and surgery in the Commonwealth of Kentucky.

Said bill was read a second time.

Ordered, That said bill be read a third time.

Mr. Breckinridge objected to the third reading of said bill on this day.

Mr. English moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Breckinridge, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	John P. Newman,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	Phil Roberts,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,
Sam E. English,	D. L. May,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—18.

Those who voted in the negative, were—

W. F. Berry,	William Goebel,	J. W. Martin,
R. J. Breckinridge,	J. B. Hannah,	Chas. B. Poyntz—6.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Louisville Terminal Railway Company;

An act to amend an act, entitled "An act to incorporate the Iron Works and Frankfort Turnpike Road Company, in Bourbon county;

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county;

An act to incorporate the town of Bromley, in Kenton county;

An act establishing a new voting place in the fourth magisterial district in Kenton county;

An act to incorporate the Cairo, Hickman and Memphis Railroad Company;

An act to incorporate the Mt. Sterling Connecting Railway Company;

An act to amend an act to incorporate the Hubermont Rural Home Company, approved May 1, 1884;

An act to fix the per capita allowance at the lunatic asylums for the pauper lunatics;

An act to revive and re-enact an act to incorporate the Consumers' Gas Light Company of Covington;

An act to regulate the sale of spirituous, vinous and malt liquors in Lyon county, Kentucky;

An act to incorporate the city of Beattyville;

An act to amend the revenue laws of this Commonwealth, giving the State power to sue for taxes due;

An act to amend the charter of the town of Quincy, in Lewis county;

An act to incorporate Turners' Station and Drennon Springs and Owenton Railroad;

An act regulating the annual allowance to pauper idiots, and providing for the payment of the same;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870 ;

An act to incorporate the Altamont and Manchester Railroad Company ;

An act for the benefit of Mrs. Bettie Edmonds, of Marion county ;

An act to amend an act, entitled "An act to reduce into one, amend and digest an amendatory act incorporating the city of Mt. Sterling," approved March 7, 1876 ;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to incorporate the Green River Land Improvement and Investment Company ;

An act to incorporate the Goose and Deer Pond Drainage and Improvement Company ;

An act to further amend and regulate the municipal affairs of the town of Shelbyville ;

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other, except life insurance companies," approved March 12, 1870 ;

An act in relation to the licensing of the Frankfort Lottery of Kentucky and the Henry Academy and Henry Female College Lottery ;

An act to incorporate the Lancaster, McKee and Middlesborough Railroad ;

An act to amend an act, entitled "An act to establish a city government for the town of Catlettsburg, in Boyd county ;

Resolution raising a special legislative appropriation committee ;

Resolution fixing the day of *sine die* adjournment ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Smith, from the Committee on Executive Affairs, to whom was referred leave to bring in a bill, entitled

An act to amend section 7, article 2, chapter 27 of the General Statutes,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That section 7, article 2 of chapter 27 of the General Statutes be, and the same is hereby, amended, by striking therefrom the word "October," where it occurs, and inserting in lieu thereof the word "November."

§ 2. This act shall take effect from and after its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

Mr. Wright, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act fixing the time and terms of the circuit courts in the Seventh Judicial District,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the terms of the Monroe Circuit Court shall begin on the first Mondays in January and July and continue two weeks if the business of the court require it. That the terms of the Clinton Circuit Court shall begin on the third Mondays in January and July, and continue two weeks if the business of the court require it. That the terms of the Hart Circuit Court shall begin on the first Monday in February and Tuesday after the first Monday in August, and continue three weeks if the business of the court require it. That the terms of the Adair Circuit Court shall

begin on the first Mondays in March and September and continue three weeks if the business of the court require it. That the terms of the Barren Circuit Court shall begin on the fourth Mondays in March and September and continue four weeks if the business of the court require it. That the terms of the Allen Circuit Court shall begin on the fourth Mondays in April and October and continue two weeks if the business of the court require it. That the terms of the Metcalfe Circuit Court shall begin on the second Mondays in May and November and continue two weeks if the business of the court require it. That the Cumberland Circuit Court shall begin on the fourth Mondays in May and November and continue two weeks if the business of the court require it. That the Green Circuit Court shall begin on the second Mondays in June and December and continue two weeks if the business of the court require it.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Peterman and Wright, were as follows, viz :

Those who voted in the affirmative, were—

G. W. Gates,	J. H. Lunsford,	J. M. Pieratt,
T. L. Glenn,	J. W. Martin,	Chas. B. Poyntz,
J. B. Hannah,	John McCann,	Phil Roberts,
J. P. Huff,	John P. Newman,	D. W. Wright—14.
William Lindsay,	A. L. Peterman,	

Those who voted in the negative, were—

W. H. Anderson, W. F. Berry, John R. Kemp—3.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Jefferson county,

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the third reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. McCann moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Wright, from the Committee on General Statutes, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 19 of article 1 of chapter 39 of the General Statutes,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to a third reading, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to incorporate the McFerran Memorial Baptist Church, at Louisville, Kentucky,

Which was granted.

Whereupon the Speaker appointed Mr. Kemp said committee on the part of the Senate.

After a short time, Mr. Kemp, from said committee, reported that the committee had performed that duty, and said bill was handed in at the clerk's desk.

Mr. Kemp moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. Kemp proposed an amendment to said bill.

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cockrell asked the appointment of a committee on the part of the Senate to act in conjunction with a similar committee from the House of Representatives to ask the withdrawal, unsigned, from the hands of the Governor of a bill, which originated in the Senate, entitled

An act to incorporate the Bank of Commerce of Mt. Sterling,
Which was granted.

Whereupon the Speaker appointed Mr. Cockrell such committee on the part of the Senate.

After a short time Mr. Cockrell, from said committee, reported that the committee had performed that duty, and said bill was delivered into the possession of the House of Representatives.

Mr. Goebel moved that the rules be suspended, and that the Senate take up for consideration a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandize and supplies by employer to employe, and providing penalties for violation.

And the question being taken thereon, it was decided in the negative for the want of a two-thirds majority.

The yeas and nays being required thereon by Messrs. Anderson and Wright, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. P. Huff,	John McCann,
Reuben Conner,	John R. Kemp,	John P. Newman,
G. W. Gates,	William Lindsay,	C. B. Poyntz,
T. L. Glenn,	J. W. Martin,	A. H. Stewart,
Wm. Goebel,	James H. Mulligan,	J. S. Wortham—17..
J. B. Hannah,	J. W. McCain,	

Those who voted in the negative, were—

W. F. Berry,	D. L. May,	Ben F. Reynolds,
Ben F. Bradley,	Chas. Patteson,	Phil. Roberts,
R. J. Breckinridge,	J. J. Paul,	D. H. Smith,
B. F. Cockrell,	J. M. Pieratt,	D. W. Wright—13.
J. H. Lunsford,		

Mr. Mulligan moved a call of the Senate.

And the question being taken "Shall a call of the Senate be had?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Newman, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	John P. Newman,
T. L. Glenn,	William Lindsay,	Chas. B. Poyntz,
William Goebel,	J. W. Martin,	Phil Roberts,
J. B. Hannah,	James H. Mulligan,	J. S. Wortham—14.
J. P. Huff,	John McCann,	

Those who voted in the negative, were—

W. F. Berry.	G. W. Gates,	J. J. Paul,
Ben F. Bradley,	J. H. Lunsford,	J. M. Pieratt,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
B. F. Cockrell,	J. W. McCain,	D. H. Smith,
Reuben Conner,	Chas. Patteson,	D. W. Wright—15.

Mr. Anderson requested the appointment of a committee on the part of the Senate to act in conjunction with a similar committee from the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor, of a bill which originated in the Senate, entitled

An act to authorize the court of claims of Shelby county to levy an ad velorem tax,

Which was granted.

Whereupon the Speaker appointed Mr. Anderson such committee on the part of the Senate.

After a short time, Mr. Anderson, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

On motion of Mr. Anderson—

Ordered, That said bill be referred to the Committee on Enrollments, it appearing that the same is not correctly enrolled.

Mr. Newman moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be had?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

Sam E. English,	J. B. Hannah,	John McCann,
G. W. Gates,	J. P. Huff,	Jno. P. Newman,
T. L. Glenn,	James H. Mulligan,	Chas. B. Poyntz,
William Goebel,	J. W. McCain,	Phil Roberts—12.

Those who voted in the negative, were—

W. H. Anderson.	John R. Kemp,	J. M. Pieratt,
W. F. Berry,	William Lindsay,	B. F. Reynolds,
Ben F. Bradley,	J. H. Lunsford,	D. H. Smith,
R. J. Breckinridge,	D. L. May,	A. H. Stewart,
B. F. Cockrell,	Charles Patteson,	D. W. Wright—17.
Reuben Conner,	J. J. Paul,	

Leave was granted to bring in the following bill, viz :

On motion of Mr. Breckinridge—

A bill to empower the county court of Boyle county to sell the poor-house farm and purchase another farm, and to issue bonds to pay for same.

Ordered, That the Committee on the Judiciary prepare and bring in said bill.

Mr. Wright, from the Committee on General Statutes, to whom was referred leave to bring in a bill, entitled

An act to amend an act, entitled "An act to protect citizens of this Commonwealth from empiricism," approved April 25, 1888.

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That sub-section 6, of section 3, of the act of which this is an amendment, be amended by striking out the words "by the faculty of a legally chartered medical school in

this State, or State medical society," and inserting in lieu thereof, the words, "by the State Board of Health."

§ 2. Nothing in this act, or the acts to which this is an amendment, shall be so construed as to authorize any travelling empiric to register or practice medicine in any county in this State; to open an office for such purposes, or to announce to the public in any other way his readiness to practice medicine in any of its branches in any county, shall be to engage in the practice of medicine within the meaning of the law.

§ 3. This act shall be in force from its passage.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to fix the liability of insurance companies at the amounts written in their policies.

Mr. Bradley moved the previous question,

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 23, 1890. }

Gentlemen of the Senate:

I have the honor to nominate, and by and with your consent will appoint, the following named gentlemen as Railroad Commissioners:

Hon. I. A. Spalding, of Union county.

Hon. W. B. Fleming, of Jefferson county.

Hon. John. F. Hagar, of Boyd county.

Very Respectfully,

S. R. BUCKNER.

Ordered, That said nominations be referred to the Committee on Railroads.

Mr. Peterman, from the Committee on Education, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Laurel Seminary,

Reported the same, with an amendment as a substitute therefor.

Mr. Paul moved that the further consideration of said bill and proposed substitute be postponed indefinitely,

And the question being taken thereon, it was decided in the affirmative.

So said bill was disagreed to.

Mr. Kemp, from the Committee heretofore appointed by the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal, unsigned, from the hands of the Governor of an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of W. M. Howard,

Reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Kemp moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. Hannah, from the Committee on Courts of Justice—

An act to repeal an act, approved May 13, 1886, entitled "An act to repeal an act, entitled 'An act to regulate the advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county, and fixing compensation therefor, and to re-enact an act, approved May 5, 1880, regulating the advertising of such sales.' "

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled "An act to change the time of holding the examination of county superintendents so far as the same applies to the counties of Knott and Letcher."

By Mr. Peterman, from the Committee on Propositions and Grievances—

An act to prohibit the sale of spirituous, vinous or malt liquors, or any mixture thereof, within the limits of school district No. 113, known as Dry Fork district, in Barren county.

By Mr. Peterman, from the Committee on Education—

An act to amend an act, entitled “An act to amend and reform the common school laws of this Commonwealth.

By Mr. Lindsay, from the Committee on the Judiciary—

An act to change the line between the counties of Mercer and Anderson.

By same—

An act to incorporate the Bond’s Mill and Wilson’s Ferry Turnpike Road Company, in Anderson county.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to prohibit the charging or collection of tolls for the passage along and over turnpike roads, in Kenton county, of certain pleasure vehicles not propelled by animal power.

By Mr. McCann, from the same committee—

An act to close eighty-two feet nine inches of a certain alley running east and west between Kentucky and Mechanic streets, in the city of Louisville.

By Mr. Smith, from the Committee on Banks and Insurance—

An act to incorporate the Germantown Deposit Bank, of Kentucky.

By Mr. Goebel, from the Committee on Courts of Justice—

An act increasing the jurisdiction of the mayor of the city of Augusta to two hundred dollars, in all cases of which he now has jurisdiction.

By Mr. Peterman, from the Committee on Education—

An act repealing an act, entitled “An act to establish a system of public graded schools in school district No. 2, in Bracken county,” approved April 12, 1888.

By Mr. Paul, from the Committee on Codes of Practice—

An act to amend an act, entitled “An act to incorporate the Middlesborough Water Company,” approved February 25, 1890.

By Mr. Pieratt, from the Committee on Religion and Morals—

An act to incorporate the Christian Church of Ludlow, Kenton county.

By Mr. Peterman, from the Committee on Propositions and Grievances—

An act to amend an act, entitled “An act for the benefit of the public roads in Barren, Metcalfe and Monroe counties,” approved April 1, 1882.

By Mr. Goebel, from the Committee on Courts of Justice—

An act to amend an act, entitled “An act to establish and incorporate South Covington district, in Kenton county.”

By same—

An act for the protection of fish in the various running public streams, tributary to the Ohio and Licking rivers, in Kenton county.

By Mr. McCain, from the Committee on Railroads—

An act to incorporate the Eminence and Drennon Springs Railroad Company.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act to incorporate the town of Bethlehem.

By Mr. Smith, from the Committee on the Judiciary—

An act to incorporate the Hibernia Turnpike Company.

By Mr. Wright, from the Committee on General Statutes—

An act to amend article 4, chapter 12 of the General Statutes, title “Change of Venue in Criminal Cases.”

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to make provision for establishment of water-works in the city of Stanford, and authorize the city council of the city of Stanford to issue bonds to aid in the establishment of water works for said city, and to provide for the payment of the principal and interest of said bonds.”

By same—

An act for the benefit of Christian College, Hustonville, Kentucky.

By Mr. Lunsford, from the Committee on Banks and Insurance—

An act to incorporate the Beechwood Banking Company of Daveiss county.

By Mr. Goebel, from the Committee on Courts of Justice—

An act in relation to landlords and tenants in the city of Covington.

By same—

An act to amend an act to amend the charter of the city of Covington, approved May 13, 1890.

By Mr. Newman, from the Committee on Courts of Justice—

An act to incorporate the Rosedale Agricultural Association of Campbell county,

With amendments to the three last-named bills,

Which were adopted.

Ordered, That said bills, the three last-named as amended, be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz :

By Mr. Goebel, from the Committee on Courts of Justice—

An act regulating the jurisdiction of certain justices of the peace in Kenton county.

By Mr. May, from the Committee on Railroads—

An act incorporating the Jellico and Munfordville Railroad.

By Mr. Peterman, from the Committee on Education—

An act to provide for the safe keeping of the school fund of Hardin county.

By Mr. McCain, from the Committee on Public Expenditures—

An act to amend an act, entitled "An act to authorize the people of Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts.

By Mr. Newman, from the Committee on Courts of Justice—

An act to incorporate the town of Holmesdale, in Kenton county.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of J. H. Richards, of Hancock county.

By same—

An act for the benefit of Joseph Friel, of Hancock county.

By Mr. Bradley, from the Committee on Railroads—

An act incorporating the Jellico and Cumberland Gap Railroad.

By Mr. Pieratt, from the Committee on Religion and Morals—
An act to declare Laurel Fork and Fannin Fork of Elk Fork, in Morgan county, navigable streams.

By Mr. Roberts, from the Committee on Propositions and Grievances—

An act for the benefit of W. H. Lilly and wife, of Estill county.

By Mr. Patteson, from the Committee on Claims—

An act for the benefit of S. Parish, of Richmond.

By Mr. Wortham, from the Committee on General Statutes—

An act to amend an act, entitled "An act imposing a tax on dogs, and providing for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth."

By Mr. Patteson, from the Committee on Claims—

An act to amend the charter of the Kentucky and Cumberland Gap Railroad Company.

By Mr. Bradley, from the Committee on Railroads—

An act incorporating the Jellico and Beattyville Railroad.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. English, from the Committee on Charitable Institutions, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to provide for the completion and enlargement of the Central Lunatic Asylum,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Mr. Breckinridge objected to the third reading of said bill on this day.

Mr. Wortham moved that the rules be suspended, and that said bill be read a third time.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Breckinridge and Glenn, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	John R. Kemp,	John P. Newman,
W. F. Berry,	William Lindsay,	Chas. Patteson,
Ben F. Bradley,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	A. H. Stewart,
Sam E. English,	J. W. McCain,	J. S. Wortham,
G. W. Gates,	John McCann,	D. W. Wright—19.
J. P. Huff,		

Those who voted in the negative, were—

R. J. Breckinridge,	William Goebel,	Jas. H. Mulligan,
Reuben Conner,	J. B. Hannah,	Chas. B. Poyntz—7.
T. L. Glenn,		

So said bill fell into the orders of the day.

Mr. Patteson, from the Committee on Claims, to whom was referred a joint resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of B. F. Landrum, of McLean county, committee for Lavinia Brackett, a pauper idiot,

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, Lavinia Brackett was on the 6th day of July, 1882, tried by the McLean Circuit Court on a charge of idiocy, and was then by said court adjudged to be a pauper idiot, and whereas by inadvertance on the part of B. F. Landrum, of McLean county, committee for said pauper idiot, she was not brought before the said court in the fifth year thereafter for trial on the said charge, as by law in such case provided, but was at the January term, 1889, of said court, brought before said court and again tried by said court and by said court adjudged to be a pauper idiot, and, whereas, for the time in excess of the first five years of the time between said trials, to-wit: between the 6th day of July, 1887, and the 6th day of January, 1889, the State's allowance for a pauper idiot was refused said committee by the Auditor because of said inadvertance, and, whereas, said committee did procure the keeping of said pauper idiot for said last-named period and met the expense therefor, and the Commonwealth has paid him nothing for so doing, therefore

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Auditor be, and he is hereby directed, to draw his warrant upon the Treasurer for the sum of \$112.50, in favor of said B. F. Landrum.

2. This resolution to take effect from its adoption.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John P. Newman,
W. F. Berry,	J. P. Huff,	Chas. Patteson,
Ben F. Bradley,	William Lindsay,	A. L. Peterman,
R. J. Breckinridge,	J. H. Lunsford,	J. M. Pieratt,
B. F. Cockrell,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	Jas. H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	J. S. Wortham—23.
William Goebel,	John McCann,	

In the negative—none.

Resolved, That the title of said resolution be as aforesaid.

Mr. Lindsay moved that the rules be suspended, and that the Senate take up for consideration an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend chapter 57 of the General Statutes, entitled "Injuries to Person or Property."

Mr. Lindsay moved that the Senate do now take a recess until 3 o'clock P. M.

Mr. Mulligan moved that when the Senate adjourns for the day that it be to meet on to-morrow at 9:55 o'clock A. M.

And the question being taken on the motion made by Mr. Mulligan, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Newman, were as follows, viz:

Those who voted in the affirmative were—

W. H. Anderson,	J. P. Huff,	John P. Newman,
W. F. Berry,	John R. Kemp,	Chas. Patteson,
Ben F. Bradley,	William Lindsay,	J. J. Paul,

R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	Phil Roberts,
Reuben Conner,	D. L. May,	D. H. Smith,
Sam E. English,	Jas. H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	J. S. Wortham,
T. L. Glenn,	John McCann,	D. W. Wright—28.
J. B. Hannah,		

Those who voted in the negative were—

William Goebel, J. M. Pieratt, C. B. Poyntz—3.

Mr. Mulligan moved to reconsider the vote by which the Senate had fixed to-morrow at 9:55 o'clock A. M. as the time to which the Senate would adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Newman, were as follows, viz :

Those who voted in the affirmative, were—

T. L. Glenn,	J. P. Huff,	John P. Newman,
William Goebel,	Jas. H. Mulligan,	Chas. B. Poyntz—6.

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
Ben F. Bradley,	J. W. Martin,	B. F. Reynolds,
R. J. Breckinridge,	D. L. May,	Phil Roberts,
Reuben Conner,	J. W. McCain,	D. H. Smith,
J. B. Hannah,	Chas. Patteson,	A. H. Stewart,
John R. Kemp,	J. J. Paul,	D. W. Wright—19.
William Lindsay,		

Mr. Newman moved a call of the Senate.

Mr. May moved that the Senate do now adjourn.

And the question being taken on the motion to adjourn, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Newman, were as follows, viz :

Those who voted in the affirmative were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
W. F. Berry,	John R. Kemp,	J. M. Pieratt,
Ben F. Bradley,	J. H. Lunsford,	B. F. Reynolds,

R. J. Breckinridge,	D. L. May,	Phil Roberts,
Reuben Conner,	J. W. McCain,	D. H. Smith,
Sam E. English,	John McCann,	J. S. Wortham,
William Goebel,	Chas. Patteson,	D. W. Wright—22.
J. B. Hannah,		

Those who voted in the negative were—

James H. Mulligan, John P. Newman, Chas. B. Poyntz—3.

And then the Senate adjourned.

SATURDAY, MAY 24, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills and a joint resolution, which originated in the House of Representatives, of the following titles, viz:

An act to prescribe the form of report made out by the stewards to superintendents of the various charitable institutions in this Commonwealth.

An act to incorporate the Kentucky Banking Company.

An act to incorporate the People's Saving Bank of Maysville, Kentucky.

An act to incorporate the Greenup County Fair Association.

An act to amend an act, to amend an act incorporating the town of Eminence, approved April 2, 1890.

An act to prevent stock from running at large in the county of Bath.

An act to declare Gillmore creek, Lacy's creek and Stillwater creek, in Wolfe county, navigable streams.

An act to amend chapter 1144, Session Acts 1887 and 1888.

An act to change and define the boundary line of justice's district No. 3, known as Sharp's, in Mercer county.

An act to incorporate the Barbourville Safety Vault and Trust Company.

An act to enable Logan county to work upon its public roads its delinquents in the payment of the county levy tax.

An act to incorporate the Sinking Creek Turnpike Company.

An act to provide for the punishment of petit larceny or wife beating, in Crittenden county.

An act to create and establish district No. 13, known as Sedalia, in Graves county.

An act to prohibit the carrying of guns on election days within one mile of any voting place in Estill, Floyd, Martin, Pike, Letcher, Knott, Perry, Leslie, Harlan, Clay or Lee counties.

An act to incorporate the Eminence Electric Light, Water and Ice Company.

An act to incorporate the Republican State League of Kentucky.

An act to incorporate the Stoney River and Doylsville Turnpike Road Company, in Madison county.

An act to incorporate the Colored Cemetery Company, of North Middletown, in Bourbon county.

An act to incorporate the Beattyville Street Transit Company.

An act to incorporate the Meade County Fair Association.

An act to authorize the board of trustees of the town of Glasgow to take the sense of the legal voters of said town upon the question of issuing bonds to improve the streets.

An act to increase the capital stock of the Bank of Ashland.

An act to incorporate the Kentucky and Missouri Bridge Company.

An act to incorporate the Citizens Bank of Ashland, Kentucky.

An act to amend an act amending the act to incorporate the town of Pleasureville, in Henry county, approved April 2, 1890.

An act to further amend the act incorporating the town of Sulphur, in Henry county.

An act incorporating a street railway company in London, Kentucky.

An act to amend an act, entitled "An act to incorporate the Flemingsburg Graded High School.

An act to incorporate the Beattyville Electric Company.

An act to charter the Carrollton Electric Light and Power Company.

An act to provide for the construction of any levee along the water front of the city of Newport.

An act to amend an act, entitled "An act to amend and reduce into one all acts and laws in relation to the town of Trenton, in Todd county," passed March 24, 1884.

An act creating a voting place at Blackford, in Webster county.

An act authorizing the board of commissioners or court of levy and claims of Martin, Johnson, Floyd, Pike, Lawrence, Boyd, Letcher and Knott counties to apply the county tax on any railroad built into or through said counties in payment of expenditures for right of way.

An act in relation to the sale of the Danville Gas Light Company's franchises to the town of Danville.

An act to incorporate the Saint Patrick's Total Abstinence Society of the Church of Saint James, Brooksville, Kentucky.

An act to incorporate the Pineville, Mt. Pleasant and Big Stone Gap Railroad Company.

An act to incorporate the Central Kentucky and Ohio River Railroad Company.

An act to incorporate the Fordsville, Hartford and South-western Railroad Company.

An act to amend an act, entitled "An act to authorize and empower Muhlenberg county to fund its outstanding bonded indebtedness," approved March 18, 1878.

An act to amend an act, entitled "An act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Catlettsburg."

An act to prevent cattle from running at large in Flemingsburg magisterial district, Fleming county.

An act to amend the charter of the Barbourville Street Railroad Company.

An act authorizing and requiring persons living along the

Humlong and Sheron Turnpike Road, in Bracken county, to work out their road tax on said road.

An act to further amend an act, entitled "An act creating a new charter for the town of Owenton, in Owen county," approved March 9, 1888.

An act to amend an act, entitled "An act to incorporate the Hawkins and Cummins Turnpike Road Company, in Bourbon county," approved April 4, 1884.

An act to incorporate the Sodowski Lake Association.

An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company.

An act to incorporate trustees of St. Paul's English Evangelical Church.

An act to amend an act, entitled "An act to charter the Leesburg and Silas Meeting-house Turnpike Road Company, in Bourbon county."

An act for the benefit of Hartford College.

An act to prevent stock from running at large in the Chatham and Germantown precincts, in Bracken county.

An act for the benefit of the city of Frankfort.

An act to amend the charter of the Owensboro, Falls of Rough and Green river railroad.

Resolution for the benefit of George H. Hocker, of Boyle county.

An act for the benefit of the estate of Charles Smith, deceased, of Nelson county.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act to amend and revise the charter of the city of Mayfield, Graves county,'" approved May 1, 1884.

An act to incorporate the Eminence Mutual Livestock Insurance Company of Kentucky.

An act to amend the charter of the town of Barbourville.

An act to authorize Sereptha Noel to be maintained at the Central or Western Lunatic Asylum without cost to her parents.

An act to amend an act, entitled "An act to incorporate the Paris Street Railway Company."

An act to incorporate the Louisa and Southeastern Railroad Company.

An act to repeal chapter 1449, session acts of 1887 and 1888, entitled "An act for the benefit of certain persons in the county of Daveiss.

That they had concurred in amendments adopted by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the McFerran Memorial Baptist Church, at Louisville, Kentucky.

An act to punish petit larceny in Union county.

An act to incorporate the Rosedale Agricultural Association, of Campbell county.

An act in relation to landlords and tenants in the city of Covington.

An act to incorporate the Greensburg and Glasgow Railroad Company.

An act to incorporate the Louisville, Somerset and Jellico Southern Railroad Company.

An act to incorporate the Constitutionalist Printing and Publishing Company, of Eminence, in Henry county.

An act to amend the charter of the city of Ludlow, in Kenton county.

An act to incorporate the Cumberland River and Jellico Railroad Company.

An act to incorporate the Louisville and Hodgenville Railroad Company.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to provide for the safe keeping of the school fund of Hardin county.

An act for the benefit of Will. H. Lilly and wife, of Estill county.

An act to amend the charter of the Kentucky and Cumberland Railroad Company.

An act to amend an act, entitled "An act to protect citizens of this Commonwealth from empiricism," approved April 25, 1888.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to prevent base-ball playing on Sunday in Kenton county,'" approved March 6, 1882.

An act to incorporate Kentucky Cannel Coal Railroad Company.

An act to amend the city charter of Paducah, and authorizing said city to subscribe to the capital stock of the Paducah and Illinois Ferry Company.

An act for the better regulation of public roads and the working of the same in Todd county.

An act for the benefit of E. C. Flanary and J. P. Pierce, ex-sheriffs of Crittenden county, and other sheriffs and ex-sheriffs.

An act to authorize the board of council of the town of Danville to remove any of its officers.

An act relieving S. C. Long and J. L. Shallcross from further service as special commissioners for lunatic asylums of this Commonwealth.

An act to increase the pay of guards at the Kentucky Penitentiary.

An act to reapportion the State into eleven Congressional Districts.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the assessment and collection of taxes upon distilled spirits,' " approved April 21, 1882; said amendatory act approved May 12, 1884.

An act to amend an act, entitled "An act to amend the charter of Bethel College, Russellville," which became a law without the signature of the Governor April —, 1890.

An act incorporating the Lexington and Jellico railroad.

An act to amend the charter of the city of Louisville (as to city court).

An act for the benefit of tavern keepers.

An act to amend the charter of the Cincinnati, Alabama and Atlantic Railroad Company.

An act to incorporate the Bank of Commerce of Mt. Sterling, With amendments to the three last-named bills,

Which were, by unanimous consent, taken up and concurred in.

That they had passed bills of the following titles, viz:

1. An act for the benefit of the Midland Land Company, and to re-incorporate the same under the name of the Keys' Creek Mining and Transportation Company.

2. An act for the benefit of Joseph M. Plummer, of Fleming county.

3. An act to amend chapter 112, General Statutes, title "Weights and Measures."

4. An act to repeal section 8 of an amendment to the charter of the city of Owensboro, approved April 22, 1886.

5. An act for the benefit of Mary E. Jobe.

6. An act to amend section 27 of article 6 of an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886.

7. An act to authorize the trustees of common school district in Estill county, and the Worshipful Master, Senior and Junior Wardens of Irvin Lodge No. 137 of Free and Accepted Masons, to unite in the purchase of or procurement of a lot, and erect thereon a school-house and lodge-room.

8. An act amending section 7, article 5, chapter 92 of the General Statutes, entitled "Revenue and Taxation."

9. An act to incorporate the Eminence, New Castle and Campbellsburg Dummy Railroad Company, in Henry county.

10. An act to amend the charter of the city of Louisville.

11. An act to incorporate the Pioneer Tornado Insurance Company.

12. An act for the benefit of D. P. Scott, of the city of Lexington.

13. An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,' " approved April 25, 1888.

14. An act to incorporate the Paducah Metropolis and Ohio River Railroad Company.

15. An act permitting the United States Government to acquire title to real estate at Paris, Bourbon county.

16. An act for the benefit of Ballard and Thompson, of Paducah, Kentucky,

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

They were referred—the 3d to the Committee on General Statutes; the 4th to the Committee on Courts of Justice; the 6th

and 8th to the Committee on Revenue and Taxation ; the 9th to the Committee on Public Expenditures ; the 11th to the Committee on Banks and Insurance ; the 13th to the Committee on Public Health ; the 14th to the Committee on Railroads, and the 16th to the Committee on Library, Public Buildings and Officers,

And the 1st, 2d, 5th, 7th, 12th and 15th were ordered to be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Bradley, from the Committee on Railroads, to whom was referred the nominations by the Governor of Hons. I. A. Spalding, W. B. Fleming and John F. Hagar to be Railroad Commissioners, reported the same with the expression of opinion that said nominations should be advised and consented to.

And the question being taken on advising and consenting to said nominations, it was decided in the affirmative.

A message was received from the House of Representatives announcing that they had passed a bill, which originated in that body, entitled

An act for the benefit of Cassin & Boyle, of Shelby county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz :

WHEREAS, On the 18th day of April, 1890, Cassin & Boyle paid to the county clerk of Shelby County Court, of Kentucky, the sum of one hundred and fifty dollars, the State tax on a license to sell by retail spirituous, vinous or malt liquors in Shelbyville, for one year from said 18th day of April, 1890, but in consequence of recent enactments made by the General Assembly of the State of Kentucky, and of which they were unaware and which amendment so increased the license as to render them unable to comply with the requisitions and thus unable to obtain the necessary license from the town of Shelbyville for the retail of spirituous, vinous or malt liquors, hence never received any benefits from the State license, therefore

Be it enacted by the General Assembly of the Commonwealth

of Kentucky, § 1. That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant upon the Treasurer in favor of Cassin & Boyle for one hundred and fifty dollars, the amount paid by them for State license for the selling of spirituous, vinous or malt liquors in the town of Shelbyville.

§ 2. This act to go into effect from and after its passage.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	J. B. Hannah,	John McCann,
W. F. Berry,	John K. Hendrick,	John P. Newman,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
R. J. Breckinridge,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	Jas. H. Mulligan,	J. S. Wortham,
T. L. Glenn,	J. W. McCain,	D. W. Wright—28.
R. G. Hays,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

Mr. Newman read and laid on the table the following joint resolution, viz :

Be it resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the Governor of the State be, and is hereby, authorized and empowered, to examine into the claim of Carl Schenck, of Newport, Kentucky, for work done for, and instruments hired to the Geological Department for the months of January, 1881, to and inclusive of the month of June, 1881, and if the said claim is found to be correct and unpaid, he is authorized to have same paid to the said Carl Schenck, or his assigns, from any unappropriated money of the State Treasury.

2. This resolution shall take effect from its adoption.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read and adopted.

By unanimous consent Mr. Berry reported a bill, entitled
An act to prohibit playing base ball on Sunday in Union county.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent Mr. McCann reported a bill, entitled
An act to incorporate the Supreme Council, Catholic Knights and Ladies of America.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent Mr. Smith reported a bill, entitled
An act for the benefit of W. H. Hamilton, clerk of the Larue County Court.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent, Mr. Smith reported a bill, entitled
An act to incorporate the Carlisle, Lower Blue Lick Springs and Mt. Olivet Railroad Company.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Louisville Belt Railway and Transfer Company ;

An act to amend the charter of the city of Ludlow, in Kenton county ;

An act to incorporate the Louisville and Hodgenville Railway Company ;

An act to incorporate the Cumberland River and Jellico Railroad Company ;

An act in relation to landlords and tenants in the city of Covington ;

An act to incorporate the C. T. Rice Cemetery Company near Union, in Boone county ;

An act to suppress lottery advertisements and publications ;

An act to incorporate the Rosedale Agricultural Association of Campbell county ;

An act to punish petit larceny in Union county ;

An act to amend an act, entitled "An act to extend the court of common pleas in the First Judicial District to include the county of Graves, for the trial of equity causes," approved May 8, 1884, so as to give jurisdiction of common law actions and special proceedings ;

An act to incorporate the Louisville, Somerset and Jellico Southern Railroad Company ;

An act to authorize the people in Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts ;

An act to incorporate the McFarren Memorial Baptist Church, at Louisville, Kentucky ;

An act to incorporate the Runyan School-house and Four-mile Road Turnpike Company ;

An act to incorporate the Harrodsburg Saving and Deposit Bank and Trust Company ;

An act to extend the powers of the trustees of the town of Dover, Kentucky ;

An act repealing an act, entitled "An act to establish a system of public graded schools in school district No. 2, in Bracken county," approved April 12, 1888 ;

An act for the benefit of the Midland Land Company, and to reincorporate the same under the name of the Keys Creek Mining and Transportation Company ;

An act to amend the charter of the city of Covington ;

An act to incorporate the Harrison County Bank ;

An act increasing the jurisdiction of the Mayor of the city of Augusta to two hundred dollars in all cases of which he now has jurisdiction ;

An act to prohibit the charging or collection of tolls for the passage along and over turnpike roads in Kenton county of certain pleasure vehicles not propelled by animal power ;

An act to readjust and fix the time of holding the court of common pleas in the First Judicial District ;

An act to incorporate the Capital Railway Company ;

And enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of E. C. Flanary and J. P. Pierce, ex-sheriffs of Crittenden county, and other sheriffs and ex-sheriffs ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect citizens of this Commonwealth from empiricism,' " approved April 25, 1888 ;

An act to increase the pay of guards at Kentucky Penitentiary ;

An act to incorporate the Kentucky Cannel Coal Railroad Company ;

An act to authorize the court of claims of Shelby county to levy an ad valorem tax ;

An act for the benefit of Eckstein Norton, trustee of Evermont Hope Norton ;

An act to amend an act, entitled "An act to establish a city government for the town of Carlisle," approved May 5, 1890 ;

An act to amend an act, entitled "An act to change the boundary line between Washington, Anderson and Mercer counties," approved April 15, 1890 ;

An act to incorporate the Farmers' and Traders' Bank of Sturgis ;

And had found the same correctly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Glenn reported that the committee had performed that duty.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act for the benefit of A. M. Rigg, of Moxley, in Owen county.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

Resolved, That the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to amend chapter 46, General Statutes, title "Game and Small Birds," and the acts supplementary and amendatory thereto.

By unanimous consent Mr. Wright withdrew said bill from the further consideration of the Senate.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to establish the fish and game warden system in the State of Kentucky, and creating the office of State Fish and Game Warden, defining his powers and duties, and conferring upon him the right to appoint county fish and game wardens, defining their powers and duties and giving to the county wardens the right to appoint deputy county wardens, and defining their powers and duties.

By unanimous consent Mr. Wright withdrew said bill from the further consideration of the Senate.

The Senate, according to order, took up for consideration bills, which originated in the Senate, of the following titles, viz :

An act to create the office of Inspector of Banks and Trust Companies, and to provide for the appointment of said inspector, and defining his powers and duties.

An act creating and establishing the office of State Bank Examiner, and prescribing his duties and defining his powers.

Said bills read as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the office of Inspector of Banks and Trust Companies is hereby created, and it shall be the duty of the Governor, by, and with the consent of the Senate, to appoint a suitable man to said office, who shall be a sober, discreet citizen of this State, at least thirty years of age, and who shall be a competent and expert accountant in the business and book-keeping of banking; said inspector shall hold his office for the term of four years from the date of his qualification, and until his successor is duly appointed and qualified.

§ 2 The Governor shall have the power to remove the incumbent from office at any time, and, in case of removal, death, or resignation of said inspector, or from any cause a vacancy shall occur in said office, the Governor shall fill said vacancy by appointment, subject to the advice and consent of the Senate, if then in session, or if not in session, then to be reported to the Senate at its next session.

§ 3. The inspector, before entering upon the discharge of the duties of said office shall, in the office of the Secretary of State, take an oath to faithfully and impartially discharge the duties of said office, and shall execute a bond in the sum of twenty-five thousand dollars to the Commonwealth of Kentucky, to be approved by the Governor, conditioned that said inspector will faithfully and impartially discharge all the duties of said office, and that said inspector will pay to the State of Kentucky, or any person, company, firm or corporation any damages it, or they, may sustain by reason of his failure or refusal to discharge the duties faithfully and impartially, and said oath and bond shall be entered in full upon the record in the office of the Secretary of State, and the original bond filed in said office; and any person injured may institute his action on said bond in the name of the Commonwealth of Kentucky for his benefit.

§ 4. It shall be the duty of said Inspector of Banks and Trust Companies, to visit and carefully inspect, at least once in each year, all incorporated banks, and all banks conducted, owned or

managed by any company, firm, person, or association of persons, and all trust companies incorporated or conducted by firms or individuals in this State, except National Banks, and he shall ascertain and state the amount of nominal assets, and of what composed, and shall state what insolvent or non-collectable (either in whole or in part) bonds, bills, notes, accounts and evidences of debt said bank is carrying in its estimated and reported assets; he shall ascertain and report the whole amount of liabilities, direct or contingent. He shall ascertain and report the amount of capital stock, the number of shares, how many shares have been subscribed for, how many shares have been fully paid up, and how many partially paid, and what per cent. He shall ascertain and report whether or not (and if any, how many, and to whom) any certificate of capital stock has been issued to any person as paid-up, either in whole or in part, on the note or other security of the stockholder. He shall also ascertain and state what per cent. of the loans and discounts have been made to the directors, officers or persons whose duty it is to manage, conduct or aid in the management and conduct of said bank. If the bank or business is conducted by a firm, association, company or individual (not incorporated), he shall ascertain and report how much actual cash has been invested in the business, and he shall in all cases state the amount of cash on hand, and he shall report any other fact which may be necessary to enable the patrons and persons engaged in said business of banking or of trust companies, to know the true and actual condition of the business.

§ 5. The Inspector shall make his statement in triplicate form, and one copy shall be delivered to the officers or persons conducting the bank or trust company's business, one copy shall be delivered to the clerk of the county court of the county where the business is located, and one shall be delivered to the Governor, and by him filed in the office of the Secretary of State; and it shall be the duty of the officers and persons conducting and managing said business of banking and trust companies, to have said report of the Inspector published for one month in some newspaper having a general circulation in the county where the place of business is located, within thirty days after receiving said report: *Provided*, That if said officer or person conducting and managing said business, shall, in good faith, believe the report of the Inspector is erroneous or false, they may, by writing, complain to the Governor, and he may suspend said publication for thirty days for corrections, after which time the corrected report must be published; and any person or officer managing and conducting said business, who shall willfully or intentionally fail or refuse to have said report published, shall, upon indictment and conviction, be fined in any sum not exceeding one hundred dollars; and each space of ten days after the time said publication should have been first made, shall be deemed a separate offense.

§ 6. The inspector shall, upon his exhibition of his certificate of office, presented at the office or place of business of any bank or trust company, have authority and power to take charge of the cash-books, papers and property of said bank or trust company, for the purpose of making the examination as herein provided for; and if any officer, clerk, teller, or other person engaged in the conduct or management of such business, shall refuse to permit said examiner from getting possession of the cash-books, papers, or property aforesaid, for the purpose of making said examination, or shall withhold same from him, after same have been demanded, he or they so offending shall, upon conviction, be fined in any sum not exceeding five hundred dollars for each offense, and each day said refusal shall be continued, shall be deemed a separate offense.

§ 7. The inspector shall have power and authority to administer oaths to any person for the purpose of interrogating him touching the affairs of said banking or trust business, and shall have power and authority to examine, under oath, any and all persons in any way connected with any bank, banking business or trust company's affairs that he is authorized to examine under this act, upon or about any subject or thing he may deem necessary or proper for him to know, in order to make a thorough and proper examination, and if any person so sworn by said inspector, shall, while testifying under said oath, knowingly and willfully testify falsely upon, or about, any fact or thing important or material to said examination, he or they shall, upon indictment and conviction, be punished by confinement in the penitentiary not less than one nor more than five years, and the circuit court or any criminal court of the county where in said offense is committed shall have jurisdiction to try said indictment.

§ 8. It shall be unlawful for the inspector to remove from any bank or trust company's place of business any book, note, bond, bill, paper, money, or thing, without the consent of the officer or person managing or conducting the business of said bank, firm, company, or person, and, if he shall do so, he shall be fined in any sum not exceeding five hundred dollars for each offense, which may be prosecuted by indictment.

§ 9. The Governor may at any time require said Inspector to make a special examination of the affairs, condition and business of any bank (except National banks) or trust company, and shall require a report of the vault as herein provided for the regular examination; and the Inspector may at any time, by writing, make demand upon any bank or trust company for a statement of its business at the close of banking or business hours on any date, and if said banks or trust company shall refuse or fail to make said statement within thirty days after notice, any officer or person engaged in said business whose duty it is to make same shall, upon conviction, be punished by a fine of fifty dollars for each offense.

§ 10. If any bank officer or person employed in a bank, or person conducting or managing the business of any trust company, shall violate any of the provisions of this act, it shall be the duty of said Inspector to go before the judge of the county court or police court, or some justice of the peace, and make affidavit of the facts; and the said judge or justice of the peace shall forthwith issue or cause to be issued a warrant of arrest, and shall examine said charges as examining courts now do under the Code of Practice; and if the judge or justice shall believe there are reasonable grounds to believe the accused is guilty of any offense under this act, he shall require him to appear at the next term of the circuit or criminal court of the county where said offense was committed, and said court may commit or hold to bail, as in other misdemeanors.

§ 11. The Inspector is allowed for his services the sum of ten dollars per day while actually engaged in the labor of making examination of any bank or trust company, to be paid by such bank or trust company at the conclusion of his labor, and the further sum of five dollars for traveling expenses, to be paid by such bank or company, and if said bank, person, firm or company shall refuse or fail to pay him for his services, he shall recover same by suit before any court of competent jurisdiction, and shall recover 25 per cent. in addition to the amount of his demand, if he is required to institute an action.

§ 12. The Inspector shall appoint an assistant by and with the consent and approval of the Governor, whenever it is necessary to enable him to examine all the banks and trust companies carefully, who shall receive like sums for his services and traveling expenses, to be paid by such banks and trust companies as he may examine, and he shall have like remedies for its collection, and he shall perform his duties in all things as the Inspector is required to do under this act, and shall suffer like penalties and punishment for a failure or neglect to discharge his duties. The Governor shall have power to suspend or remove said Assistant Inspector at any time by written notice to him, and he shall cease from all duties of said office immediately upon receipt of said notice. The Assistant Inspector shall take the oath required of the Inspector, and shall execute a like bond before entering upon the discharge of his duties, and entered of record and filed in the office of the Secretary of State.

§ 13. The report of the Inspector or his assistant shall be received as evidence in all applications for the appointment of a receiver, and for temporary or preliminary orders for the protection of parties' interest, it shall be sufficient to make a *prima facie* cause for such temporary or preliminary order.

§ 14. This act shall take effect and be in force from and after its passage, and all laws, or parts of laws, local, private or general, in conflict herewith, are repealed.

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That there is hereby created and established the office of State Bank Examiner.

§ 2. That the Governor, by and with the advice and consent of the Senate, shall appoint some suitable person, at least thirty years of age, and possessing all the qualifications of an elector of this State, to said office as soon as this law goes into effect, and said person shall hold said position for four years, at the expiration of which time, and every four years thereafter, the Governor shall make an appointment to said position, subject to the advice and consent of the Senate, for the term of two years.

§ 3. The Governor shall have the power at any time to suspend or remove the incumbent of said office therefrom at pleasure, the order of suspension or removal to be in writing, stating the cause therefor, and filed with the Secretary of State; and in case of a vacancy in said office, the Governor shall have power to fill said vacancy by appointment, subject to the advice and consent of the Senate, if then in session; if not, then to be reported to the Senate, and advised and consented to or rejected, at its next session.

§ 4. Said State Bank Examiner shall, before entering upon his duties, take an oath before some one qualified to administer oaths to faithfully and diligently discharge the duties of said office, and execute bond with sufficient security, to be approved by the Governor of the Commonwealth of Kentucky, in the sum of ten thousand dollars for the faithful performance of his duties. Said bond and said affidavit shall be filed with the Secretary of State.

§ 5. It shall be the duty of said State Bank Examiner, at least once in each year, to examine the cash, bills of exchange, notes, collaterals and other securities and assets, books of accounts, and the condition and affairs of each bank chartered, organized and doing business under authority of an act of the General Assembly of the Commonwealth of Kentucky, and oftener should he be called upon so to do by the board of directors of any bank so chartered, organized and transacting business in this State. For that purpose he may examine on oath any of the officers, agents, clerks, customers or depositors of such bank touching the affairs and business of such bank. Any willful false swearing in any examination shall be deemed perjury. He shall also ascertain whether each bank transacts its business in conformity with the provisions of the act incorporating it.

§ 6. Said State Bank Examiner shall have access at any and all times to the books, papers, cash and securities of any bank incorporated by the General Assembly of this Commonwealth, for purposes of official investigation only, upon the production of his commission as State Bank Examiner, which shall be his warrant for making such examination.

§ 7. It shall be the duty of said State Bank Examiner, within ten days after making an examination of any bank incorporated,

organized and transacting business as aforesaid, to make out and forward to the Auditor of Public Accounts, under seal, a detailed statement of the condition of such bank, showing its assets and liabilities, and giving such other information as he may deem necessary to present touching the solvency and management of said bank.

§ 8. If it should appear to the Examiner upon a careful investigation of any State bank, as shown in his report to the Auditor of Public Accounts of the condition of said bank, that said bank has failed to pay its depositors, is insolvent, or that the capital of the bank has been impaired or reduced below the amount required by its charter, he shall immediately notify the Auditor, and it shall be the duty of the Auditor, and he shall have power to examine said bank and ascertain the facts, and in case he finds that there exists such inability to pay depositors, such insolvency or impairment, or reduction of capital, to require such bank to make good the deficiency so appearing. If any bank shall refuse or fail for ninety days after written requisition to make good the deficiency so appearing or found to exist, it shall be the duty of the Auditor, with the concurrence of the Attorney-General, to institute proceedings for the appointment of a receiver of such bank to wind up its business.

§ 9. The State Bank Examiner shall prepare each year, for the Auditor of Public Accounts, a tabulated statement, showing in the aggregate the total amount of capital paid into, and employed by, State banks; the whole amount of their debts and liabilities; the total amount of means and resources, the total amount of lawful money on hand, and such other information in relation to the incorporated banks of the State as, in his judgment, may be required. The Examiner shall call for a sworn statement of the condition of each State bank, as of the first day of June in each year, from which to compile his statement to the Auditor, and the statement of the Examiner to the Auditor shall be printed and be a part of the annual report of the Auditor for that year.

§ 10. For each annual and each special examination the bank examiend shall pay into the State Treasury, to the credit of the State Bank Examiner, the one hundredth part of one per cent. of the gross amount of the assets of said bank: *Provided*, That the examination fee of any bank shall not be less than ten dollars. At the end of each month the Auditor shall draw his warrant upon the Treasurer in favor of the State Bank Examiner for such an amount as may appear to have been paid in during the month to the credit of said Examiner.

§ 11. The State Bank Examiner shall be allowed the sum of one hundred dollars per annum for necessary printing, stationery and postage, to be paid for by the State of Kentucky, and the Auditor of Public Accounts is authorized to draw his warrant upon the Treasurer for such sum, in quarterly installments of twenty-five dollars each.

§ 12. This act shall take effect and be in force from and after its passage.

The committee had heretofore reported the following amendment as a substitute for said bill, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That there is hereby created and established the office of Examiner of State Banks, Trust, Building, Loan and Investment Companies.

§ 2. It shall be the duty of the Governor of this Commonwealth, by and with the advice and consent of the Senate, to appoint some suitable person to said office, who shall be not less than thirty nor more than sixty years of age, possessing all of the qualifications of an elector of this State, and who shall be a competent and expert accountant; and such examiner shall hold said position for four years from the date of his appointment, and until his successor shall be duly elected and qualified, unless sooner removed or suspended from office as is hereinafter provided.

§ 3. The Governor shall have the power to suspend or remove the incumbent of said office therefrom for cause, the order of suspension or removal to be in writing, stating the cause therefor, and filed with the Secretary of State; and in case of a vacancy in said office by reason of removal or suspension therefrom, or for any other cause, the Governor shall have power to fill such vacancy by appointment, subject to the advice and consent of the Senate, if then in session, or, if not in session, then such appointment to be reported to the Senate at its next session, and then advised and consented to or rejected.

§ 4. Before entering upon the discharge of the duties of said office, said examiner shall take an oath, before some officer qualified under the laws of this State to administer oaths, to faithfully, impartially and diligently discharge the duties of said office, and he shall execute a bond in the sum of twenty-five thousand dollars to the Commonwealth of Kentucky, to be approved by the Governor, conditioned that said examiner will faithfully, impartially and diligently discharge the duties of said office, and that he will pay to the State of Kentucky, or to any corporation or party injured, any damages such corporation or party may sustain by reason of his failure or refusal to discharge the duties of said office faithfully, impartially and diligently; and said oath and bond shall be recorded in the office of the Secretary of State, and there filed, copies of which may be furnished by said Secretary; and any person, corporation or party injured by reason of said examiner's failure to discharge the duties of said office as aforesaid may institute an action on said bond in the name of the Commonwealth of Kentucky for his benefit for the recovery of such damages as the party suing may have sustained thereby.

§ 5. It shall be the duty of said examiner, at least once in each year, and not oftener, unless ordered so to do by the Governor, or requested by the managers or directors thereof, to carefully examine the cash, bills of exchange, notes, collaterals and other securities, assets and books of accounts of each bank, trust, building, loan and investment company chartered, organized and doing business under the authority of the laws of this State, and of each building, loan and investment company doing business in this State organized under the laws of any other State or country, and for that purpose he may examine on oath any of the officers, agents, clerks or other employes of said banks, trust, building, loan and investment companies, touching the affairs and business of said institutions. He shall ascertain and report the amount of assets, and of what composed, said institutions have; also the whole amount of liabilities; also the amount of capital stock, number of shares, how many shares have been subscribed for, how many have been fully paid up, and how many only partially, and the per cent. paid thereon; also whether or not any certificate of capital stock has been issued to any subscriber as paid up upon his note; also what per cent. of loans and discounts have been made to the directors, officers or persons whose duty it is to manage, conduct or aid in the management and conduct of said institutions embraced by the first and other sections of this act, and he shall in all cases report the amount of cash on hand, and state any other fact which will enable the persons interested in the institutions aforesaid to ascertain their true condition.

§ 6. It shall be the duty of said examiner, within ten days after making an examination of any bank, trust, building, loan or investment company, incorporated, organized and transacting business as aforesaid, to make out his report in duplicate form, one of which shall be delivered to the bank or other institution examined, and the other shall be forwarded or delivered to the Auditor of Public Accounts; and it shall be the duty of such bank or other corporation to have said report of said examiner published by five insertions in some newspaper having a general circulation in the county where said bank or other corporation is located, within thirty days after receiving said report, and it shall be the duty of said Auditor to have said reports printed at the time of printing his report for that year in a separate volume, a copy of which shall be sent to each of the corporations referred to in this act, for which it shall pay to the Auditor its due proportion of the cost of printing and binding and forwarding said volume, estimated upon the number of copies delivered: *Provided, however,* That if the officers or persons conducting and managing any bank or other corporation reported upon by said examiner shall desire to contest the accuracy, fairness or justice of such report, they may, in ten days after receiving said report, suggest to the Governor in writing that said report is erroneous or false or unjust to such institution, and he may suspend said

publication for thirty days, or for a longer time should he think it proper to do so, for corrections to be made by said examiner of such errors in said report as may be shown by the institution complaining, and then the corrected report shall be published as above provided, and any officer or person managing or conducting the corporations aforesaid or their business, who shall willfully fail or refuse to have the reports of said examiner published as herein provided for, shall, upon indictment and conviction, be fined in any sum not exceeding one hundred dollars, and each space of ten days after the time said publication should have been first made shall be deemed a separate offense.

§ 7. The said examiner shall, upon his exhibition of his certificate of office, presented at the office or place of business of any of the corporations aforesaid, have authority and power to take charge of the cash-books, papers, cash, assets and securities of such corporation for the purpose of making the examination and report herein provided for, and if any officer or other person engaged in the conduct or management of the business of said corporation shall refuse to permit said examiner to take possession of the books, papers or property aforesaid, for the purpose of making said examination, or shall withhold the same from him after same have been demanded, he or they so offending shall, upon conviction, be fined in any sum not exceeding five hundred dollars for each offense, and each day said refusal shall be continued shall be deemed a separate offense. The said examiner shall have power and authority to administer oaths to the officers of said corporations and to the persons whom he is authorized by this act to examine, touching the affairs and business of said corporation; and if any person so sworn by said examiner shall knowingly and willfully testify falsely upon or about any fact or thing material to said examination, he or they shall, upon indictment and conviction, be punished by confinement in the penitentiary for not less than one nor more than five years.

§ 8. It shall be unlawful for said examiner to remove from the place of business of any of said corporations any book, note, bond, cash, bill, security or other property, without the consent of the officer or person managing or conducting said corporation's business or affairs; and if he shall do so, he shall be guilty of a misdemeanor, and, upon conviction thereof, be fined in any sum not exceeding five hundred dollars for each offense, which may be recovered by indictment.

§ 9. The Governor may, at any time, upon the request of the Auditor of Public Accounts, require said examiner to make a special examination of the affairs, condition and business of any of the said corporations, and said officer shall make report to the Auditor as herein is provided for the regular examination; and said examiner may, at any time, by writing, make demand upon any bank or trust, building, loan or investment company, for a statement of its business at the close of banking hours on

any date ; and if said bank or other corporation shall refuse or fail to make said statement within fifteen days after due notice so to do, the chief officer or person managing or controlling said bank or other corporation, shall be liable to a fine of not less than fifty nor more than one hundred dollars, which may be recovered by suit or indictment.

§ 10. If it shall appear to said examiner, upon a careful investigation and examination of any of said corporations, that it has failed to pay its depositors, or is insolvent, or that the capital of said bank or other corporation has been reduced below the amount required by its charter, he shall at once notify the Auditor of Public accounts thereof, and it shall be the duty of said Auditor, and he shall have power to examine said bank or other corporations and ascertain the facts, and in case he finds that there exists such failure to pay depositors, such insolvency, or such reduction of capital, he shall require such corporation, in writing, to pay its depositors, restore its capital to the amount required by its charter, and to re-establish its solvency ; and until the same is done, such corporation shall not distribute any of its earnings to its stockholders ; and in the event that any such corporation shall fail or refuse for fifteen days after the written requisition of the Auditor to make good its capital stock, pay its depositors or re-establish its solvency, the Auditor shall report such failure to the Governor ; and if it shall be deemed by said officers proper or necessary to put such corporation into the hands of a receiver to be wound up, the Governor shall direct the Attorney-General to institute proceedings for the appointment of such receiver for such purpose.

§ 11. The said examiner shall be allowed for his services under this act the sum of fifteen dollars per day, and no more, while actually engaged in making the examinations provided for herein, and no additional fee for making his report or for traveling expenses shall be allowed or paid. The said per diem allowance shall be paid to said examiner by the corporation examined and reported by him ; and if any such corporation shall refuse or fail to pay him the sum herein allowed for his services, he may recover the same by suit, with interest and costs.

§ 12. The said examiner is hereby allowed the sum of one hundred dollars per annum for necessary printing, stationery and postage, to be paid by the State, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for such sum, in quarterly installments of twenty-five dollars each.

§ 13. Whenever it may become necessary to enable him to examine the corporations embraced by this act, said examiner may appoint one or more assistants, by and with the assent of the Governor, who shall have the same qualifications, and shall receive the same compensation for his or their services, as are allowed the said examiner, and he or they shall have such remedies for its collection as are given the examiner, and shall perform the duties in all things required of said examiner under

this act, and shall suffer like penalties and punishment for a failure or neglect to discharge said duties. The assistant examiners shall take the oath required of the examiner, and shall execute a like bond before entering upon the discharge of said duties, which shall be entered of record in full in the office of the Secretary of State, and there filed, and said Secretary may furnish copies thereof. The Governor shall have power, when necessary, to suspend or remove for cause any assistant examiner by written notice to him, and he shall cease from the performance of all of the duties of said office immediately upon receipt of such notice, but such order of suspension or removal shall be in writing, stating the cause therefor, and be filed with the Secretary of State; and upon such suspension or removal, said examiner may, with the consent of the Governor, appoint another assistant, who shall possess the qualifications of the examiner, take the oath of office, and execute like bond; and he shall have like pay and the same remedies for collecting the same conferred upon the examiner.

§ 14. The report of the said examiner or his assistant shall be received as evidence in all applications for the appointment of a receiver under this act, and upon application to the court for temporary or preliminary orders for the protection of parties' interest, the same may be treated as sufficient and competent evidence to establish a *prima facie* cause for such temporary or preliminary order.

§ 15. This act shall take effect and be in force from and after its passage, and all acts in conflict herewith are hereby repealed.

Said bills being considered together and treated as one bill.

Mr. Mulligan proposed to amend said bill as follows, viz :

Amend by exempting Fayette county from the operation of the bill.

Mr. Lunsford proposed the following amendment to said bill, viz :

Amend by exempting Hopkins and Christian counties from the operation of the act.

Mr. Reynolds proposed to amend said bill as follows, viz :

Amend by exempting Harrison, Nicholas and Robertson counties from the provisions of the bill.

The question was then taken on the adoption of the amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz :

Those who voted in the affirmative were—

W. H. Anderson,	John McCann,	J. M. Pieratt,
J. H. Lunsford,	John P. Newman,	B. F. Reynolds—7.
D. L. May,		

Those who voted in the negative were—

W. F. Berry,	T. L. Glenn,	James H. Mulligan,
Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
R. J. Breckinridge,	J. B. Hannah,	J. H. Shearer,
B. F. Cockrell,	John K. Hendrick,	D. H. Smith,
Reuben Conner,	John R. Kemp,	J. S. Wortham,
Sam E. English,	William Lindsay,	D. W. Wright—19.
G. W. Gates,		

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected the amendment proposed by him to said bill.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

Jas. H. Mulligan,	John P. Newman,	B. F. Reynolds—3.
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Those who voted in the negative, were—

W. F. Berry,	G. W. Gates,	D. L. May,
Ben F. Bradley,	T. L. Glenn,	Chas. Patteson,
R. J. Breckinridge,	R. G. Hays,	D. H. Smith,
B. F. Cockrell,	John K. Hendrick,	J. S. Wortham,
Reuben Conner,	John R. Kemp,	D. W. Wright—17.
Sam E. English,	William Lindsay,	

Mr. Peterman moved that when the Senate adjourns, that it be to meet at 3 o'clock P. M.

Mr. Mulligan moved that when the Senate adjourns, that it be to meet on Monday, May 26, 1890, at 9:55 o'clock A. M.

And the question being taken on the motion of Mr. Mulligan, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
W. F. Berry,	John K. Hendrick,	John McCann,
Ben F. Bradley,	John R. Kemp,	Chas. Patteson,
R. J. Breckinridge,	William Lindsay,	J. J. Paul,
B. F. Cockrell,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	Jas. H. Mulligan,	D. W. Wright—19.
G. W. Gates,		

Those who voted in the negative, were—

Sam E. English,	J. P. Huff,	D. H. Smith—4.
J. B. Hannah,		

Mr. Newman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

R. G. Hays,	Jno. P. Newman,	D. W. Wright—5.
James H. Mulligan,	J. J. Paul,	

Those who voted in the negative, were—

W. H. Anderson.	William Goebel,	D. L. May,
W. F. Berry,	J. B. Hannah,	J. W. McCain,
Ben F. Bradley,	John K. Hendrick,	Charles Patteson,
R. J. Breckinridge,	J. P. Huff,	A. L. Peterman,
B. F. Cockrell,	John R. Kemp,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	J. H. Shearer,
Sam E. English,	J. H. Lunsford,	D. H. Smith,
G. W. Gates.	J. W. Martin,	J. S. Wortham—25.
T. L. Glenn,		

The question was then taken on the adoption of the substitute proposed by the committee to said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Lunsford to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz:

Those who voted in the affirmative, were—

J. B. Hannah,	J. W. Martin,	J. H. Shearer—4.
J. H. Lunsford,		

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	D. L. May,
Ben F. Bradley,	William Goebel,	James H. Mulligan,
R. J. Breckinridge,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	John K. Hendrick,	D. H. Smith,
Reuben Conner,	John R. Kemp,	J. S. Wortham,
F. W. Darby,	William Lindsay,	D. W. Wright—19.
G. W. Gates,		

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected the amendment proposed by Mr. Lunsford to said bill.

And the question being taken on said motion, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Mulligan and Lunsford, were as follows, viz :

In the affirmative—Jas. H. Mulligan—1.

Those who voted in the negative, were—

W. H. Anderson,	G. W. Gates,	William Lindsay,
W. F. Berry,	T. L. Glenn,	D. L. May,
Ben F. Bradley,	Wm. Goebel,	Chas. Patteson,
R. J. Breckinridge,	R. G. Hays,	D. H. Smith,
B. F. Cockrell,	John K. Hendrick,	J. S. Wortham,
Reuben Conner,	John R. Kemp,	D. W. Wright—18.

Mr. Mulligan moved to reconsider the vote by which the Senate had adopted the motion made by him, that when the Senate adjourn it be to meet at 9:55 o'clock A. M. on Monday, May 26, 1890.

Which motion was simply entered.

The Senate, according to order, took up for consideration a bill, which originated in the Senate, entitled

An act to fix the salary of the State Treasurer's clerk.

On motion of Mr. Hays.

Ordered, That the further consideration of said bill be post-

poned and that it be made the special order of the day for Monday, May 26, 1890, at 11:30 o'clock A. M., and from day to day until disposed of.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz:

By Mr. English, from the Committee on Internal Improvements—

An act to incorporate the Middlesborough City Transfer Company.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Capital Railway Company.

By Mr. McCain, from the Committee on Public Expenditures—

An act for the benefit of the New Castle and Drennon Turnpike Road.

By Mr. Gates, from the Committee on Courts of Justice—

An act to incorporate the Grassy Flats Drainage Company and promote the drainage of wet lands.

By Mr. Goebel, from the same committee—

An act to authorize the trustees of Carrollton to sell and convey certain land belonging to said town.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act authorizing the county court of Lincoln county to pay A. M. Feland the amount overpaid by said Feland as late sheriff of said county, money due him for the years 1876 and 1877.

With an amendment to the last-named bill,

Which was adopted.

Ordered, That said bills, the last-named as amended, be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Wright, from the Committee on General Statutes—

An act to amend an act, entitled "An act to incorporate the Jessamine County Fair Company."

By same—

An act authorizing the county of Jessamine to subscribe aid to any railroad company.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Smith—

Ordered, That the Clerk withdraw from the House of Representatives the announcement of the disagreement by the Senate to an amendment adopted by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company.

After a short time the Clerk reported that he had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Breckinridge moved to reconsider the vote by which the Senate had refused to concur in said amendment.

And the question being taken thereon, it was decided in the affirmative.

Mr. Stewart proposed an amendment to the amendment adopted by the House of Representatives to said bill.

Mr. May moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Stewart to the amendment adopted by the House of Representatives to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Stewart and Huff, were as follows, viz:

Those who voted in the affirmative, were—

B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
T. L. Glenn,	J. J. Paul,	A. H. Stewart,
R. G. Hays,	A. L. Peterman,	J. S. Wortham,—11.
J. P. Huff,	J. M. Pieratt,	

Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	J. W. McCain,
W. F. Berry,	John R. Kemp,	John McCann,
Ben F. Bradley,	William Lindsay,	John P. Newman,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
Reuben Conner,	D. L. May,	D. H. Smith,
Sam E. English,	Jas. H. Mulligan,	D. W. Wright—18.

The question was then taken on concurring in the amendment adopted by the House of Representatives to said bill, and it was decided in the affirmative.

By unanimous consent, Messrs. Bradley and Breckinridge were excused from further service on the committee raised to investigate the loss of a bill, which originated in the Senate, entitled

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company.

Mr. Goebel, from the Committee on Courts of Justice, to whom was referred an amendment, adopted by the House of Representatives, to a bill, which originated in the Senate, entitled

An act to amend chapter 57, of the General Statutes, entitled "Injuries to person or property."

Reported the same, with the expression of opinion that said amendment ought not to be concurred in.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the negative.

A message was received from the House of Representatives announcing that they had refused to recede from the amendment adopted by the House of Representatives to said bill, and asked for the appointment of a committee of conference thereon.

Mr. Lindsay asked that a committee of conference, consisting of three from the Senate, be appointed to take into consideration the disagreement of the two Houses on said proposed amendment to said bill,

Which was granted.

Whereupon the Speaker appointed Messrs. Lindsay, Wright and Goebel such committee on the part of the Senate.

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the

Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the incorporation and regulation of fire, marine, health, accident, live stock and all other, except life insurance companies," approved March 12, 1870.

Resolution raising a special legislative appropriation committee.

Resolution fixing the day of *sine die* adjournment.

An act in relation to the licensing of the Frankfort Lottery of Kentucky and the Henry Academy and Henry Female College Lottery.

An act to incorporate the Goose and Deer Pond Drainage and Improvement Company.

An act to incorporate the Lancaster, McKee and Middleborough Railroad.

An act to incorporate the Excelsior Gas Company.

An act to incorporate the Blue Grass Club.

An act to incorporate the New Haven Bank and Trust Company.

An act to print sheriffs' and commissioners' advertisements of land sales, etc., in Trimble county, in county paper.

An act for the benefit of common school district No. 37, Butler county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous, vinous and malt liquors in Hardin county," approved May 5, 1884.

An act for the benefit of W. F. Beard Lodge No. 583, Free and Accepted Masons and Franklin Grove Lodge No. 261, Independent Order of Odd Fellows, in Franklin county.

An act authorizing the constable of the Bowling Green Magisterial District No. 1, in Warren county, to appoint a deputy in said district.

An act authorizing the issuance of five hundred thousand dollars of municipal bonds of the city of Louisville.

An act making Mud river the line between Butler and Muhlenberg counties.

An act to amend and reduce into one the several acts in rela-

tion to the town of Rochester, Butler county, approved February 7, 1884.

An act to extend the corporate limits of the city of Ashland, in Boyd county.

An act to incorporate the Hazel Green Cemetery Company, at Hazel Green, Wolfe county.

An act to amend an act, entitled "An act to incorporate the Kentucky Chautauqua Assembly," approved January 25, 1888.

An act to amend the charter of the town of Ford.

An act to amend an act, entitled "An act to establish a city government for the town of Catlettsburg, in Boyd county."

An act to amend an act, entitled "An act for the benefit of the city of Ashland, and to amend certain acts relating to the city and town of Ashland," approved March 26, 1878.

An act to further amend and regulate the municipal affairs of the town of Shelbyville.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 24, 1890. }

Gentlemen of the Senate :

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto :

M. H. Beard, Fayette county.

John Bartman, Jr., Jefferson county.

Thomas W. Cobb, Green and Hart counties.

W. E. Garth, Warren county.

E. J. Green, Jr., Fayette county.

R. M. Miller, Johnson county.

M. M. Miller, Estill county.

Montgomery Merritt, Henderson county.

Edward T. Warren, Green county.

William Courtney Watts, Livingston county.

W. V. Weldom, Bracken county.

Charles G. Payne, Bell county.

S. D. Elkin, Nelson county.

C. A. McLaughlin, Kenton county.

Respectfully,

S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, of the following title, viz :

An act in relation to the Sinking Fund, and the transferring of same to the General Expenditure Fund.

Said bill reads as follows, viz :

WHEREAS, Under existing law the Auditor is required to transfer to the Sinking Fund five cents of the forty seven and a half cents tax levied by law upon the taxable property of the State to create a fund to meet the existing liability of said Sinking Fund ; and whereas, such transfers are not necessary, and create a fund that is largely in excess of any demands that can now be made thereon ; and whereas, by the act of March 11, 1876, such excess is again re-transferred to the General Expenditure Fund ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor is hereby directed to make no further transfers to said Sinking Fund until such time as, in the discretion of the Sinking Fund Commissioners, it shall be necessary to begin to accumulate in said fund a sufficient sum to meet the outstanding obligations of the State when they may mature.

§ 2. It shall be the duty of the Auditor, under the direction of said Commissioners, to re-transfer all such funds in excess of two hundred thousand dollars now on hand to the General Expenditure Fund, and to open an account with said Sinking Fund in the General Expenditure Fund, and to charge therein all interest or other sums paid out on account of the Sinking Fund.

§ 3. The amount so paid shall remain as a charge against said Sinking Fund until such time as the said Commissioners, in their discretion, may begin an accumulation, as hereinbefore provided, when such charges shall be debited by proper entries in such books.

§ 4. This act to take effect and be in force from and after its passage.

Mr. Peterman moved that said bill be postponed indefinitely.

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Peterman and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

James H. Mulligan,

A. L. Peterman—2.

Those who voted in the negative, were—

W. H. Anderson,	William Goebel,	J. W. Martin,
W. F. Berry,	R. G. Hays,	J. W. McCain,
Ben F. Bradley,	J. B. Hannah,	Chas. Patteson,
R. J. Breckinridge,	John K. Hendrick,	J. H. Shearer,
B. F. Cockrell,	John R. Kemp,	A. H. Stewart,
Reuben Conner,	William Lindsay,	J. S. Wortham,
G. W. Gates,	J. H. Lunsford,	D. W. Wright—21.

The question was then taken on the motion made by Mr. Peterman to indefinitely postpone said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	J. W. McCain,
W. F. Berry,	J. B. Hannah,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	J. H. Shearer,
B. F. Cockrell,	William Lindsay,	D. H. Smith,
Reuben Conner,	J. H. Lunsford,	A. H. Stewart,
Sam E. English,	J. W. Martin,	J. S. Wortham,
G. W. Gates,	D. L. May,	D. W. Wright—26.
William Goebel,	Jas. H. Mulligan,	

Mr. Mulligan proposed sundry amendments to said bill.

By unanimous consent the further consideration of said bill and proposed amendments was postponed for the day.

The Senate, according to order, took up for consideration a joint resolution, which originated in the Senate, entitled

Resolution raising commission to investigate and report on the claims for services of H. B. Lyon, J. M. Thomas and W. Carpenter, building commissioners of the Eddyville Penitentiary.

(For resolution see Senate Journal, May 2, page 1480.)

Mr. Newman had heretofore proposed the following amendment to said resolution, viz :

Strike out of the resolution, wherever they occur, the following words : "The Governor, Attorney General and Treasurer," and insert in lieu thereof the following, viz : "The said building commissioners shall appoint one commissioner and the Governor shall appoint another, and if they can not agree the two shall appoint a third." That said commissioners to arbitrate said claim shall receive for their service the sum of \$100 each.

Mr. Dickerson had heretofore proposed the following amendment to said resolution, viz :

Amend by adding the words "*Provided*, not exceeding five hundred dollars shall be paid either of said commissioners."

Mr. Hendrick moved that the session be extended until the resolution under consideration was disposed of.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Newman to said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hays and Goebel. were as follows. viz :

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	J. H. Lunsford,
W. F. Berry,	R. G. Hays,	D. L. May,
Ben F. Bradley,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	J. P. Huff,	Chas. Patteson,
Reuben Conner,	John R. Kemp,	A. L. Peterman—20.
T. L. Glenn,	William Lindsay,	

Those who voted in the negative, were—

William Goebel,	Jas. H. Mulligan,	J. W. McCain—3.
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The question being taken on the adoption of the amendment heretofore offered by Mr. Dickerson to said resolution.

Mr. Mulligan moved to lay said amendment on the table.

And the question being taken thereon, it was decided in the negative.

The question was then taken on the adoption of said amendment proposed by Mr. Dickerson, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	J. W. Martin,	B. F. Reynolds,
Sam E. English,	James H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	D. H. Smith,
J. H. Lunsford,	J. M. Pieratt,	A. H. Stewart—12.

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	D. L. May,
Ben F. Bradley,	R. G. Hays,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	J. P. Huff,	Chas. Patteson,
Reuben Conner,	John R. Kemp,	A. L. Peterman—17.
G. W. Gates,	William Lindsay,	

The question was then taken on the adoption of said resolution as amended, and it was decided in the negative for a want of the constitutional majority.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. H. Anderson,	G. W. Gates,	William Lindsay,
W. F. Berry,	T. L. Glenn,	John McCann,
Ben F. Bradley,	William Goebel,	John P. Newman,
R. J. Breckinridge,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	John K. Hendrick,	A. L. Peterman—17.
Reuben Conner,	John R. Kemp,	

Those who voted in the negative, were—

Sam E. English.	J. W. Martin,	J. H. Shearer,
J. B. Hannah,	J. W. McCain,	A. H. Stewart,
J. H. Lunsford,	J. M. Pieratt,	J. S. Wortham—9.

So said resolution was rejected.

Mr. Breckinridge, representing a majority of the Joint Committee appointed under a resolution of the two Houses to investigate the affairs and management of the Agricultural and Mechanical College at Lexington, Kentucky, presented the following report, viz:

This report has been unavoidably delayed by the difficulty experienced in getting the report of a stenographer. Indeed, a part of it is still in his hands. Every effort was made to get it, but without avail. The first installment came several weeks since. A second, two weeks since. Why the remainder is still withheld we are unable to imagine, much less to explain. We will follow the order of the resolution as fully as possible, referring to the notes of this stenographer, where reference seems necessary. The other matter, account books, pamphlets, etc., which were placed in the hands of the committee, are also submitted.

The sources of revenue of the College are as follows:

1. The income from the proceeds of the land endowment given to the State of Kentucky by act of Congress approved July 2, 1862. By this donation Kentucky received three hundred and thirty thousand acres. This land was sold in 1865 by Hon. M. C. Johnson, an agent appointed by the State, for fifty cents per acre, the amount realized therefrom amounting to one hundred and sixty-five thousand dollars, which, invested in bonds of the State of Kentucky bearing six per cent. interest, yields an annual income of nine thousand nine hundred dollars.
2. The proceeds of the tax levied by the Commonwealth of one-half of one cent upon each one hundred dollars of taxable property held by white citizens, which tax was levied by the Legislature of 1879-80, and, until the revision of the revenue laws, yielded an annual income of about seventeen thousand dollars, but since the revision now yields an annual income of about twenty-four thousand dollars.
3. The tuition and other fees of the College, a variable amount, the average of which is about twenty-five hundred dollars per annum.
4. The net income from fees accruing from the analysis of fertilizers, also a variable amount, but yielded about twelve hundred dollars annually.
5. The money received for produce of the experimental farm, small and variable amount, perhaps two hundred dollars annually.

The income from fertilizers and farm produce, though belonging properly to the available College income, has generally, in practice, been applied to the expenses of the Experiment Station, or to assist in meeting the deferred payments due on the farm. The Experiment Station is a department of the College, maintained by a yearly annual income received from the Federal Government under the Hatch Act, which income, by the terms of the act, must be devoted exclusively to experimental work, no part of which can be used for general College expenses. The income from this Federal grant is fifteen thousand dollars annually.

The total income of the College proper will be seen from the foregoing to be about thirty-seven thousand eight hundred dollars.

Income of Experiment Station, fifteen thousand dollars.

The property owned by the College, real and personal, as collated from testimony taken approximately valued as follows:

The grounds on which the college buildings have been erected are now	
valued at	\$150,000
College buildings, old dormitory and president's house	85,000
Experiment Station building	19,000
New dormitory	\$12,000
Commandant's house	2,000
Farm with buildings	25,000
Total	<u>\$293,000</u>

The College grounds were the gift of the city of Lexington. The College holds the title in fee from the city. If, however, the College should at any time be removed from Lexington, the original gift would revert to the city.

For the erection of the College building, old dormitory and the President's house, the city and county gave bonds, the former thirty thousand and the latter twenty thousand, which bonds were sold at 108 1-4, realizing \$54,125.

For the erection of the Experiment Station building, four thousand dollars were taken from the first, second and third annual appropriation by the Federal Congress. The remainder was taken from the College fund. The farm was purchased and paid for out of the funds of the College. One payment, namely, four thousand dollars, with accrued interest for three years, is due upon the farm next October. It will then have been fully paid for.

Personalty, including chemical apparatus, machinery in shops, furniture, museum, laboratory, etc., amount in the aggregate to about \$20,000.

It will thus be seen that the realty and personalty of the College are worth over \$300,000, two thirds of which came to the institution from the city of Lexington and the county of Fayette. The grounds are already beautiful, and are becoming more attractive every year.

As to the finances of the College, we find that all receipts pass into the hands of the treasurer, who is a member of the board of trustees. No money is paid out by him except upon the order of the president of the board of trustees, or the chairman of the executive committee. The executive committee consists of five members of the board of trustees, who are elected by the board at their annual meeting in June, and on whom the charter confers all the powers of the board of trustees during the interval between the regular meetings of the board. The executive committee meets on the first Wednesday in each month. All matters pertaining to the interests of the College come legitimately before them. No expenditures are allowed until authorized and ratified by them. All accounts come before the executive committee for approval and audit. When approved they are ordered paid, and the evidence of this approval is the order drawn by the chairman, and presented to the treasurer. Authentic copies of all expenditures, with the original orders upon which payments were made, were submitted by the treasurers, R. S. Bullock, 1883-1886, and W. D. Nicholas, 1886-1890. We find that the funds of the institution have been managed wisely, carefully, economically and judiciously. Indeed, only the most painstaking economy could have attained the results developed by the investigation.

It must be borne in mind that when the College was reorganized in 1880 it had absolutely nothing. The land and \$54,125 were given by Lexington and Fayette county, the additional sums necessary to complete the College buildings and dormitory, the bulk of the cost of the experiment station building, the new dormitory, the College farm, with all the improvements which have been made, and all the apparatus and other personalty purchased, have all been the result of the economic savings out of the income of the College. We bear cheerful testimony to the honest and faithful management of the finances of the institution, and express our conviction that every cent of income has been honestly accounted for.

The accounts of the Treasurer are subjected to a careful scrutiny by the board of trustees every year at their annual meeting in June. A committee appointed by the board for this purpose audits the accounts and records approval when examination has been made. All allegations and insinuations to the contrary notwithstanding, the facts stand patent to us that no flaw is to be found in the financial administration of the institution.

Students matriculated in 1883-4.	207
Students matriculated in 1884-5.	224
Students matriculated in 1885-6.	265
Students matriculated in 1886-7.	309
Students matriculated in 1887-8.	322
Students matriculated in 1888-9.	396
Students matriculated in 1889-90.	572

The steady increase in numbers is one of the most gratifying features of the College.

As to the present condition of the College, the uniform testimony is that it is on a much better footing, in better organized shape and doing more satisfactory work than it has ever hitherto done.

The act of Congress, approved July 2, 1862, appropriating lands for founding and endowing agricultural colleges, indicates very clearly the scope and character of the instruction which they are intended to give. Section 4 of said act has the following: "The interest from this fund shall be invariably appropriated by each State which may take and claim the benefit of this act to the endowment and support and maintenance of at least one college where the leading object shall be, without excluding scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

In conformity with the foregoing provision in the organic law, section 2 of the act of incorporation (chapter 359 acts of 1880), of the College by the Legislature of Kentucky is as follows: "Said trustees shall have power to determine from time to time the number of departments and studies which the College shall comprise within the scope of the organic law of agricultural and mechanical colleges, the relation which each department or group of departments shall sustain

to each other, and devise the means 7 c." By the act of Congress, those branches of learning related to agriculture and the mechanic arts must be taught; other scientific and classical studies may be taught. In subordination to these conditions, all else, organization, departments, studies, 7 c., are left to the Legislatures of the States. These powers are, by section 2 of chapter 359, acts of 1880, delegated to the trustees of the College, with unlimited authority to create such departments of study as their discretion might suggest.

The testimony of the president insisted that the distinction between "those branches of learning which are related to agriculture and the mechanic arts," and "agriculture and the mechanic arts," is radical and complete, that the former must be taught, while there is no obligation to teach the latter, and this view seems to be in accord with a candid interpretation of the Federal and State Legislatures. From very minute and careful investigation, we find that the institution is well conducted. This is the uniform testimony of both faculty and trustees, elicited by examination and cross examination of the most searching character. The concurrent testimony to the fitness, scholarship, earnestness, integrity, assiduity and ability of the president is direct, unequivocal and emphatic. See pages 111, 118, 123, 133, 138, 145, 159, 183, 188, 195.

The professors seem fully competent for the duties of the positions assigned them, learned in their specialties, energetic, not afraid of work, co-operating cheerfully and readily with the president and with each other in a laudable effort to make the State College the best and most comprehensive in the Commonwealth.

The courses of study are as follows, viz: Agricultural Course, Scientific Course, Engineering Course, Classical Course, Normal School Course, Academic Course, Commercial Course. (See page 68, Report of Evidence.)

This College seems to have had the same experience as most Colleges organized under the Act of 1862, namely, that while students are quite willing to pursue those "branches of learning which relate to agriculture," they are willing to betake themselves to the study of "agriculture;" that is, they apply themselves without constraint to the sciences upon which agriculture as an art depends, but to agriculture as an art the majority seem unwilling to devote themselves. Nevertheless, substantial progress has been made in this

direction Trustees, executive committee, president and professors, all agree that strenuous efforts are being made to develop and build up an agricultural course within the College. For several years the College had no farm for model farming and experimental work. This defect has at length to some extent been remedied by the purchase of the farm above referred to. Besides, a popular course of lectures on agriculture, as appears from the testimony of the Professor of Agriculture and others, has been established, attendance upon which is obligatory by every male student. (See pages 81 and 134; also pages 178 and 196.)

Not less than three thousand dollars is expended every year in experimental work on the farm, nearly all of which is done by students, the preference being invariably given to those students who are pursuing studies related to agriculture. (See page 196.) Many students can thus earn a sufficient amount of money to carry them through College, with but little aid from other sources (See page 174.)

A course of agricultural study has also been begun in the academy, or preparatory department, which will make an excellent basis for the advanced course in the College proper, and which, it is believed, will form a good feeder for future classes therein. Moreover, a distinct and decided preference is given to agricultural students to work on the College farm.

Very many earn a considerable part of their subsistence thus. The uniform testimony of all is that whatever influence is exerted by the Board of Trustees or by the President to induce students to take one course rather than another is exerted in favor of the agricultural and scientific courses. The scientific course has more students than any of the others. Next in order of popularity and number is the classical, and the next the engineering. The latter has been in existence only two years, but its success has been encouraging to a high degree. The normal course is not an integral part of the College work, but is in great measure a self-contained school. Two courses of instruction are provided in it, namely, a common school or teachers' course, the object of which is to prepare teachers for complying with the requirements of the common school law, in order to pass creditably the required examination for certificates to teach in the common school; the other or more advanced course of instruction designed to prepare teachers for professional work beyond the common school grade. The normal school is well managed and equipped.

It is doing good work and laying the foundation of a good system of training for common school teachers. Every effort has been made by the College authorities to provide the best of instruction at a minimum of expenditure for the matriculates of both sexes in this branch of the institution. All the students of this school have access to any class in the College for which they may be prepared, without extra charge for tuition, and may avail themselves of these opportunities. We can not but look for the best results from these facilities and these relationships.

The President and Professors, with their salaries, are as follows:

James K. Patterson, President	\$2,500
John Shackleford, Vice-president	1,750
James G. White, dean of scientific course	1,750
John H. Neville, dean of classical course	1,750
A. L. Peterman, dean of normal course	1,750
Henry B. Orr, professor of natural science	1,200
W. B. Stark, professor of agriculture	1,200
F. M. Helveti, professor of modern languages	1,500
J. H. Kastle, professor of chemistry	1,500
M. L. Pence, professor of civil engineering	1,200
W. K. Patterson, principal of the academy	1,400
J. L. Logan, assistant in the academy	1,100
William Prewitt, assistant in ancient languages and in the academy	900
J. W. Newman, assistant in normal school	900
Thomas P. Throop, assistant in normal school (per month)	100
Mrs. L. B. Blackburn, matron	700
Lieutenont D. H. Clark, commandant, paid by Federal Government	2,388
J. C. Oliver, superintendent of mechanical department (per month)	60

The salaries of the officers of the Experiment Station are as follows:

M. A. Scovill, director	\$2,500
H. Garman, entomologist	1,500
A. M. Peter, assistant chemist	1,200
H. E. Curtis, assistant chemist	750
C. L. Curtis, practical agriculturist	750
James Murray, horticulturist	750
Samuel Black, stenographer	360

John Shackleford, the vice-president, is professor of English literature and logic. James G. White, dean of the scientific course, is professor of mathematics. John H. Neville, dean of the classical course, is professor of ancient languages. The president of the Col-

lege, in addition to his executive duties, is professor of mental and moral philosophy and civil history.

Prof. Peterman, besides the regular salary, \$1,750, asked and was allowed \$750 for alleged outside work, namely: Correspondence, preparation of circulars, etc. To this the executive committee consented, on condition that this allowance should terminate at the end of the current collegiate year, unless continued by the board of trustees. Prof. Peterman also obtained leave of absence during the early weeks in the collegiate year of 1889-90, in order to hold institutes, receiving meanwhile full salary from the College, while the substitute to whom he was permitted to delegate his duties was compensated by him at rates considerably less than those which he received from the College.

This allowance for outside work and prolonged absence could, in our opinion, be justified only by a grave necessity. The testimony taken indicated that such necessity existed, but the precedent is, notwithstanding, undoubtedly one of questionable propriety, and should not be followed in the future. In justice, however, to the head of this department, it must be said that, within the last two years, mainly owing to his energy and industry and ability, this department owes both its numbers and its efficiency.

The main hinderance to the development of the mechanical department is the lack of a building of sufficient capacity. One side of the basement of the College building is now used as a mechanical shop. It is supplied with machinery of an estimated value of \$4,000. Its utmost capacity does not afford facilities for shop work to more than twenty students. No expansion is possible in this direction until a mechanical building, with a capacity for at least one hundred students, is provided. We are assured that this would be an attractive and popular feature of the College. The president referred to his report to the Governor and to the General Assembly, in which he had made earnest, but hitherto ineffective, pleas for enlarged facilities for instruction in practical mechanics.

The commercial department is an annex and not an integral part of the College, although under the management and control of the board of trustees of the College. Its faculty depend upon the income from fees charged by this department for their compensation. By the terms of agreement between the College and the commercial

school thirty-five students of the College are taught book-keeping during each collegiate year by the commercial department without charge to the students thus taught. For this service the College pays to the commercial department an annual lump sum of \$200. Any matriculate in the College may pursue other studies taught by the commercial school upon payment of two-thirds of the fees usually charged by that school, and vice versa, matriculates in the commercial school may take classes in the College upon payment of two-thirds of the fees charged by the College. All the students of the commercial schools are subject to College rules and College discipline.

The academy or preparatory department is well and thoroughly organized under a competent and efficient corps of professors and instructors, and forms an indispensable feeder to the College classes. The standard of scholarship attained by those who pass upon examination from the classes in the academy to those in the College is of an exceptionally high order. We call especial attention to the examination papers by students of agriculture in the academy. These papers were submitted by the professor of agriculture and filed at his request.

We find also that the progress made by the students in all the departments is in general of a very satisfactory character. It may be worth while to mention in this connection that a roll-call of a number of classes in our presence demonstrated conclusively that a very large proportion of the students in attendance are from counties outside of Fayette, probably as much as seventy-five per cent. The only objection urged to the management of the College, and the only hostile testimony taken, were offered by two gentlemen, formerly professors, but whose connection with the institution has for some time entirely ceased. The one was retired in 1887, having already passed his eighty-second year, because his age, it was believed, incapacitated him for the duties of his chair. The other resigned in February, 1889, having, upon his own admission, created for himself a condition of things which rendered his position untenable. The objection to the management and the personal reflections of these gentlemen—namely, Dr. Peter and Prof. Crandall—however sincere they may be in their convictions, were not corroborated by any of the trustees, or by any member of the Faculty. (See pages 111,

118, 123, 133, 138, 145, 159, 183, 184, 188, 195; also, as regards Dr. Peter's retirement, see pages 91 and 92; see also in this connection resolution of board of trustees, page 88.)

The cost of the buildings has already been given in answer to one of the preceding resolutions.

The College building, old dormitory and president's house were all built under the same contract, and the aggregate cost given above is \$85,000. The College building is a capacious structure, three stories high above the basement. Its length is 136 feet, and its breadth 68 feet. It contains sixteen large rooms and seven smaller ones, besides the mechanical shop and chapel. The dimensions of the latter, which is also used as an assembly room, are 58 feet by 68 feet. In the College building are class rooms wherein are taught mathematics, civil engineering, English, Latin and Greek, French and German, mental and moral philosophy, civil history and political economy, the various classes in the normal school and the various classes in the academy. Here also physics are taught in connection with practical mechanics. Rooms in this building are allotted to the various societies of the College.

The station building contains the office of the director, the experiment station library, the entomologist's room, the chemical laboratory of the station and the chemical laboratories and recitation room of the chemical department of the College, the agricultural, natural history and commercial rooms. Notwithstanding the capacity of this and the main College building, it was quite apparent to us that more space is needed. Further internal expansions will be difficult until the necessary conditions of expansion are provided. The old dormitory is a large structure, with accommodations for over one hundred students. It is well provided with kitchen, pantry and dining-room. The new dormitory has accommodations for about seventy students, with kitchen, store-room and dining-room.

Besides those above enumerated, there is the boiler house where steam is generated for heating the College building, old dormitory and Experiment Station building, and under-ground room, where gasoline, used in the manufacture of gas for illumination and for laboratory work, is generated, and the green house or conservatory for plants. The latter is quite an important adjunct to the botanical department and Experiment Station. The steam heating apparatus cost

about six thousand dollars, and the gas machinery about twenty-five hundred. The chemical laboratories are good, but inadequate to the growing necessities of the College. There is an excellent mineralogical collection, and a fair collection of geological specimens. The herbarium is said to be worth two thousand dollars.

In reference to the seventh subject of inquiry, we find some difficulty, and had, under the circumstances, to request the President of the College to furnish the Committee with the data required from sources with which he was familiar. This he did, and we incorporate herein the matter furnished by him as part of this report. The table of comparative statistics is as follows :

STATEMENT Showing the Comparative Proceeds of Sales of Land Scrip, Income therefrom, State Appropriations, Income from all Sources, Value of Lands, Buildings, Appropriations, etc., of College founded under the Act of Congress, Approved July 2, 1882.

E INSTITUTIONS.	Proceeds of Land Scrip. . . .	Buildings and Equipments . . .	Income from Endowment . . .	State Annual Appropriations.	Value of Land Owned	Total Annual Income. . . .	Scientific Apparatus	
Alabama	\$253,000	\$122,000	\$20,000	\$30,000	\$44,000	\$6,000	{ (including machinery.) 89,000 (\$500,000 unsold.) 105,000 70,000 68,000 32,000 32,000 195,000 150,000 438,000
Arkansas	130,000	10,400	. . . . .	. . . . .	. . . . .	41,000	12,731
California . . . . .	. . . . .	. . . . .	. . . . .	. . . . .	. . . . .	186,000	
Illinois	426,000	400,000	23,864	27,000	. . . . .	60,000	60,000
Indiana	340,000	. . . . .	17,000	30,000	. . . . .	50,000	50,000
Iowa	641,000	60,000	36,000	9,000	. . . . .	45,000	60,000
Kansas	501,000	104,350	. . . . .	6,000	. . . . .	44,504	80,000
Kentucky	165,000	136,000	9,900	24,000	\$34,000	38,000	20,000	
Michigan	550,000	250,000	32,000	30,752	47,200	60,752	89,000	
Minnesota	800,000	. . . . .	65,000	40,000	. . . . .	105,000	
Missouri . . . . .	. . . . .	. . . . .	36,000	33,000	. . . . .	70,000	
Ohio	600,000	275,000	36,000	32,000	1,400,000	68,000	
Pennsylvania	500,000	112,000	32,000	. . . . .	. . . . .	32,000	12,000
Tennessee	400,000	. . . . .	. . . . .	. . . . .	. . . . .	32,000	
Wisconsin . . . . .	. . . . .	532,000	32,000	163,000	. . . . .	195,000	150,000
New York	4,282,000	920,000	251,000	240,000	. . . . .	491,000	438,000

In regard to the eighth resolution we conclude that, while we can not now under existing circumstances recommend any appropriations for particular purposes, we are nevertheless satisfied that such appropriations are urgently required. We are satisfied that the claims of that institution upon the Commonwealth are large. If it is to grow in the future the conditions of growth must be provided. The table of comparative statistics submitted in answer to resolution 7 conclusively show that Kentucky is far behind her sister States in liberality to her State College. The wants of the College may then be summarized as follows:

1. A new building for the Normal Department and Academy.
2. A new Science building. The chain of Natural History, which now comprises Botany, Zoology, Comparative Anatomy, Physiology, Biology, Geology, Palaeontology and Mineralogy should be divided into three distinct but correlated departments. To provide recitation rooms, laboratories, museums and other illustrative plant for these chairs would require a separate building of no small proportions. The State of Wisconsin has lately provided such a building for the Scientific Course of its College at a cost of three hundred and seventy-five thousand dollars. The State of Michigan has provided separate buildings for the Botanical, Zoological and Veterinary Departments of its Agricultural College at a cost, including equipments, of \$80,000 or \$90,000. The bias of the State College is unmistakably in the direction of those sciences which can be turned to practical account, and every encouragement possible should be given in this direction.

3. A new mechanical building, with a suitable equipment of machinery for the instruction of one hundred and fifty or two hundred students is an imperative necessity. What we find it inexpedient to recommend we hope future Legislature will do with a liberality worthy of the cause and of the State. In conclusion, we have pleasure in expressing the opinion that the A. and M. College is well managed both by its Trustees and its Faculty. The former served the institution without compensation, attending the meetings of its Board oftentimes from distant parts of the State. The College is growing in public estimation and in public confidence. Its attendance has increased within the period under investigation nearly three-fold. Meanwhile its standard of scholarship has correspondingly advanced. Its

external growth has been remarkable, but the internal growth more remarkable still. Seventy-five per cent. of its attendance comes from beyond the limits of the county in which it is located. (See pages 2-6.) Its boarding department is admirably and economically managed. (See pages 7-8.) Free tuition, cheap board (\$2 per week), thorough and comprehensive courses of instruction are factors in the organization of a college which can not fail to be productive of a healthy and vigorous growth. Defects undoubtedly there are, but these are being gradually remedied or eliminated. Profiting by the experience of the past, each year sees an improvement, distinct and permanent, over that which preceded it. We commend the State College to the liberality and fortering care of successive General Assemblies, and to the confidence of the general public, in whose interest it was established.

The apparatus for the departments of physic and civil engineering and the instruments used by the mathematical department are good as far as they go, but wholly unequal to the needs of the institution. The same may be said of the equipments necessary for the courses in natural history and agriculture, of the various collections of models, skeletons, charts, etc., provided for illustration, good as far as they go, but deficient both in numbers and comprehensiveness. Thousands of dollars are needed in order to place these departments on a level with most of the other colleges which owe their origin, like ours, to the land grant of 1862.

The estimated value of machinery in the mechanical department has already been stated as about forty thousand dollars.

All of which is respectfully submitted,

ROBT. J. BRECKINRIDGE,
B. F. REYNOLDS,
J. P. HUFF,
JOHN H. WELCH,
R. C. HILL,
R. H. TOMLINSON.

On motion of Mr. Breckinridge—

Ordered, That said report be printed.

And then the Senate adjourned.

MONDAY, MAY 26, 1890.

The reading of the Journal of Saturday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent the sale or furnishing of any spirituous, vinous or malt liquors, or any mixture thereof, or any intoxicating drink, within four miles of any voting place in Green, Metcalfe or Monroe counties, Kentucky, on any regular election day.

An act to fix the per capita allowance at the lunatic asylums for the pauper lunatics.

An act regulating the annual allowance to pauper idiots, and providing for the payment of the same.

An act to amend an act, entitled "An act to incorporate the Iron Works and Frankfort Turnpike Road Company, in Bourbon county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in reference to the town of Princeton," approved February 28, 1870.

An act to incorporate Turner's Station, Drennon Springs and Owenton Railroad.

An act to incorporate the town of Bromley, in Kenton county.

An act to incorporate the Augusta Electric Light and Gas Company, in Bracken county.

An act to amend an act, entitled "An act to reduce into one, amend and digest the acts and amendatory acts incorporating the city of Mount Sterling," approved March 7, 1876.

An act to amend the charter of the town of Quincy, in Lewis county.

An act establishing a new voting place in the fourth magisterial district, in Kenton county.

An act to amend the revenue laws of this Commonwealth, giving the State the power to sue for taxes due.

An act to revise and re-enact an act to incorporate the Consumer's Gas Light Company, of Covington.

An act to amend an act to incorporate the Hubermont Rural Home Company, approved May 1, 1884.

An act to incorporate the Altamont and Manchester Railroad Company.

An act to incorporate the Cincinnati, Covington and Rose-dale Railway Company.

An act to incorporate the Louisa Street Railway Company.

An act to declare Marrowbone creek, in Cumberland county, a navigable stream.

An act to amend an act to revise the charter of the city of Paducah, and reduce into one the several acts relating thereto.

An act to incorporate the Traders' and Deposit Bank.

An act to amend chapter 243, Session Acts, 1890.

An act to provide compensation for persons required to appraise real estate before the same is offered for sale under order of court, or a judgment of court in city of Louisville and county of Jefferson.

An act to repeal a certain portion of section 33 of an act, entitled "An act to incorporate the city of Flemingsburg, Fleming county," approved May, 1890.

An act to incorporate the Lebanon and North and South Railroad Company.

An act to incorporate the Roberts' Road and Hunter's Ferry Turnpike Road Company, in Jessamine county.

An act to incorporate the Deane-Field Coal Mining and Coke Company.

An act fixing the compensation of the Jessamine Circuit Court clerk for making a general index of the records of his office.

An act to prohibit the voters of Adair county from voting a tax in aid of railroads except for right of way.

An act to amend an act, entitled "An act to incorporate the Henderson Trust Company," approved March 13, 1886, and the acts amendatory thereof.

An act to prevent obstructions of turnpike roads in Anderson county.

An act to declare certain tributaries of Middle creek, in Floyd county, navigable streams.

An act to amend an act, entitled "An act to incorporate the city of Maysville, in Mason county."

An act to incorporate the Nicholasville Water-works Company.

An act to incorporate the Catlettsburg Street Railway Company.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Lulbygrud Turnpike Road, in Montgomery county.

An act for the benefit of George T. Simonds, of Maysville.

An act for the benefit of B. T. Sechrist, of Grant county.

An act to incorporate the Bank of Grand Rivers.

An act to amend and reduce into one the acts relating to the town of Bellepoint, in Franklin county.

An act to submit the question to the people of Henry county by precincts as to whether they will tax themselves to repair their turnpikes and county roads in their respective precincts.

An act to incorporate the Supreme Council of the Catholic Knights and Ladies of America.

An act for the benefit of Joseph Friel, of Hancock county.

An act for the benefit of J. H. Richards, of Hancock county.

An act to incorporate the Carlisle Lower Blue Lick Springs and Mt. Olivet Railroad Company.

An act to incorporate the Mulberry Hills Improvement Company.

An act to amend an act, entitled "An act to incorporate the Jessamine County Fair Company."

An act to repeal an act, entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company," approved May 21, 1890.

An act authorizing the county of Jessamine to subscribe aid to any railroad company.

An act to incorporate the Kentucky River Water Works Company.

An act to amend an act, entitled "An act to incorporate the Central Refrigerating Construction Company," approved May 1, 1888.

An act to amend an act, entitled "An act to authorize the Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts."

An act to prohibit playing base ball on Sunday in Union county.

An act for the benefit of S. Parish, of Richmond.

An act to amend an act, entitled "An act imposing a tax on dogs and to provide for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth."

An act to amend the charter of the Louisville Cement Company.

An act to incorporate the Cumberland River Coal and Mining Company.

An act to authorize the levy of an additional school tax in Ashland.

An act to fix the liability of insurance companies at the amounts written in their policies.

That they had adopted joint resolutions of the following titles, viz :

1. Resolution for the benefit of Pat McDonald, B. W. Jenkins and James McAuliffe.

2. Resolution providing for payment of expenses of special committee to visit Louisville to ascertain and report amount of damage done by tornado.

By unanimous consent the first-named resolution was taken up, twice read and concurred in,

And the second-named resolution was placed in the order of the day.

That they had passed bills of the following titles, viz :

1. An act for the benefit of the sureties of J. H. Swift, late sheriff of Calloway county.

2. An act to incorporate the Wellesly School, of Louisville.

3. An act to repeal an act to authorize the voters of the city of Mayfield to vote upon the propriety as to whether spirituous, vinous or malt liquors shall be sold within the corporate limits of said city, or within one mile thereof, approved December 15, 1873, and to repeal an act, entitled "An act to regulate the sale

and giving away of spirituous, vinous or malt liquors within the city of Mayfield, Graves county, Kentucky, or within one mile of said city," approved February 19, 1878, and to repeal an act, entitled "An act to regulate the sale and giving away of spirituous, vinous or malt liquors in the city of Mayfield, Graves county, Kentucky, or within one mile of said city," approved April 22, 1882, and to repeal all amendments to said acts and all acts in relation to the sale of such liquors in said city, and to provide for the taking of a vote as to whether or not spirituous, vinous or malt liquors shall be sold within the corporate limits of said city, or within one mile thereof, and to regulate license tax thereon.

4. An act to authorize the county court of Rockcastle county to subscribe stock to turnpike roads in said county.

5. An act to provide for recording contracts for the sale of land.

6. An act to incorporate the Somerset, Mount Vernon and Lancaster Turnpike Road Company, in Rockcastle county.

7. An act to amend the charter of the Ohio Falls City Running and Trotting Club.

8. An act to authorize the counties of Johnson, Floyd, Pike and Martin, and municipalities and civil districts therein, to exempt from taxation the property of the Ohio and Big Sandy Railroad Company for a certain period.

9. An act to amend section 3, article 2, chapter 106 of the General Statutes of Kentucky, so far as it applies to Bracken county.

10. An act to incorporate the Jellico, Beattyville and Ashland Railroad Company.

11. An act to amend an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the East Hickman and Jessamine County Turnpike Company, and to provide for the payment of the same.

12. An act permitting the United States Government to acquire title to real estate at Bowling Green, Warren county, Kentucky.

13. An act for the benefit of B. F. Remington, of Paris.

14. An act for the benefit of Company A, Third Regiment, K. S. G.

15. An act to incorporate the Eclipse Electric Light, Heating and Motive Power Company.

16. An act to incorporate the Farmers' Bank of Williamsburg, Kentucky.

17. An act for the benefit of R. M. Parks and Harry Irvin, of Nicholas county.

18. An act to amend chapter 92 of the General Statutes,

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

The 17th named bill was referred to the Committee on Agriculture and Manufactures; the 2d, 3d, 5th, 8th, 9th, 12th, 13th, 14th, 15th, 16th and 18th were placed in the orders of the day,

And the 1st, 4th, 6th, 7th, 10th and 11th named bills were severally ordered to be read a third time,

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved. That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted the report of the joint committee of Conference appointed to consider the disagreement of the Senate and House of Representatives to a bill, which originated in the Senate, entitled

An act to amend chapter 57 of the General Statutes, entitled "Injuries to Person or Property."

And in accordance with the recommendation of said Conference report had adopted an amendment as a substitute for said bill.

Ordered. That said bill and the substitute therefor be referred to the Committee on General Statutes.

Mr. Bradley, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

An act to incorporate the Central City Mineral Railroad Company,

Together with an amendment thereto adopted by the House of Representatives,

Reported the same with the expression of opinion that said amendment should be concurred in.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Stewart was appointed a committee to ask the withdrawal from the House of Representatives, of the announcement of the passage by the Senate of a bill, which originated in the Senate, entitled

An act to authorize the counties of Martin, Johnson, Floyd and Pike to exempt the property of the Ohio and Big Sandy Railroad Company from certain taxes.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to promote the study of medicine and surgery in the Commonwealth of Kentucky.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky. § 1. That it shall be lawful for the professors of any legally chartered medical college in the State of Kentucky to take the dead body or bodies of any unclaimed and abandoned convict dying in the penitentiaries of the State of Kentucky, and that said professors or physician may dissect and examine for the advancement of science the said dead body or bodies : *Provided*, That after said body or bodies have been examined and studied, the remains shall be duly buried at the expense of said professors and physicians.

§ 2. That said body or bodies shall be embalmed and preserved and kept thirty days before being dissected.

§ 3. That said professors and physicians shall keep in a suitable book a record of the names, age, sex, date and cause of death and place of final interment of said body or bodies.

§ 4. That should any friend or relative of such deceased convict claim any body or bodies for burial, the said professors or physician shall immediately surrender said body or bodies free of any charge to said friend or relative.

§ 5. That it shall be the duty of the Wardens or others having said dead body or bodies in charge, to notify the friends and relatives of the death of said unclaimed convict, and in the event of said friends and relatives refusing to bury said dead body or bodies, he shall then notify said professors or physicians, who shall cause said body or bodies to be removed without any cost to the State.

§ 6. That should any convict leave written or verbal evidence

of his or her unwillingness to submit to the provisions of this act, it shall be the duty of the Warden or others having charge of said dead bodies to see to proper interment according to the previous requirements of the law.

§ 7. Neither the Commonwealth nor any county or municipality, nor any officer, agent or servant thereof shall be at any expense by reason of the delivery or distribution of any such body, but all the expense thereof and of said board of distribution shall be paid by those receiving the bodies in such manner as may be specified by said board of distribution or otherwise agreed upon.

§ 8. No school, college, physician or surgeon shall be allowed or permitted to receive any such body or bodies until a bond shall have been given to the Commonwealth by such physician or surgeon, or by or in behalf of such school or college, to be approved by the clerk of the circuit court in and for the county in which such physician or surgeon shall reside, or in which such school or college may be situate, and to be filed in the office of said circuit court, which bond shall be in the penal sum of one thousand dollars, conditioned that all such bodies which the said physician or surgeon or the said school or college shall receive thereafter shall be used only for the promotion of medical science within the State, and whosoever shall sell or buy such body or bodies, or in any way traffic in the same, or shall transmit or convey or cause to procure to be transmitted or conveyed said body or bodies to any place outside of this State, shall be deemed guilty of a misdemeanor, and shall, on conviction, be liable to a fine not exceeding two hundred dollars, or be imprisoned for a term not exceeding one year.

§ 9. That any person having duties enjoined upon him by the provisions of this act who shall neglect, refuse or omit to perform the same as hereby required shall, on conviction thereof, be liable to a fine of not less than one hundred nor more than five hundred dollars for each offense.

§ 10. This act shall take effect from and after its passage.

Mr. Mulligan proposed the following amendments to said bill, viz:

Amend by striking out the words "body or bodies" wherever they occur in the bill, and inserting in lieu thereof the words "stiff or stiffs."

Amend by striking out the third section of the bill, amend by inserting after the word "penitentiaries," the words "and all charitable institutions of this State."

Amend by striking out the enacting clause.

Amend by striking out the first section of the bill.

Amend by striking out the second section of the bill.

Amend by striking out of the thirteenth line of the eighth section the words, "within the State."

Strike out the word "convict" wherever it occurs in the bill, and insert in lieu thereof the words "regular practicing physician."

Amend by adding to the fourth section the following: "And in addition shall cause said body or bodies, stiff or stiffs, to be decently dressed and enclosed in a coffin of the cost and value of not less than thirty dollars at the charge and expense."

Strike out "one hundred," where it occurs in the fourth line of the ninth section, and insert in lieu thereof the words "one thousand."

Amend by striking out section six and insert in lieu thereof:

§ 6. The body of no convict shall be delivered over to any professor or professors, college or colleges, under the provisions of this act; unless such convict shall have so directed in writing, which writing shall be executed and attested in the same manner as required by statute in the case of wills.

Amend by adding to the sixth section the words: But said professor or professors shall not take possession of said body or bodies until they shall have first paid to the Auditor the sum of twenty-five dollars in each case, and shall present to the warden the Auditor's receipt therefor.

Strike out the words "five hundred" in the sixth line of the ninth section, and insert in lieu thereof the words "two thousand."

Mr. Smith moved the previous question.

Mr. Mulligan moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Gates,	Jas. H. Mulligan,	Charles B. Poyntz-5.
William Goebel,	John P. Newman,	

Those who voted in the negative, were—

Ben F. Bradley,	J. H. Lunsford,	A. L. Peterman,
Reuben Conner,	D. L. May,	B. F. Reynolds,
Sam E. English,	J. W. McCain,	Phil Roberts,

J. B. Hannah,	John McCann,	J. H. Shearer,
John K. Hendrick,	Chas. Patteson,	D. H. Smith,
J. P. Huff,	J. J. Paul,	A. H. Stewart—19.
John R. Kemp,		

The question was then taken on the motion of Mr. Smith for the previous question, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Newman, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	J. P. Huff,	Chas. Patteson,
B. F. Cockrell,	John R. Kemp,	J. J. Paul,
Reuben Conner,	William Lindsay,	A. L. Peterman,
Sam E. English,	J. H. Lunsford,	B. F. Reynolds,
G. W. Gates,	D. L. May,	Phil Roberts,
T. L. Glenn,	Jas. H. Mulligan,	D. H. Smith,
R. G. Hays,	J. W. McCain,	A. H. Stewart—23.
John K. Hendrick,	John McCann,	

In the negative—J. W. Martin—1.

Mr. Mulligan moved that the Senate do now adjourn.

Mr. Peterman moved that when the Senate adjourns, that it be to meet again at 3 o'clock P. M.

And the question being taken on the motion of Mr. Peterman, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

Ben F. Bradley,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	John R. Kemp,	Chas. Patteson,
Reuben Conner,	William Lindsay,	A. L. Peterman,
Sam E. English,	J. W. Martin,	J. M. Pieratt,
G. W. Gates,	D. L. May,	B. F. Reynolds,
T. L. Glenn,	James H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	D. H. Smith,
R. G. Hays,	John McCann,	A. H. Stewart—24.

Those who voted in the negative, were—

J. H. Lunsford,	Phil. Roberts,	D. W. Wright—4.
Chas. B. Poyntz,		

The question was then taken on the motion to adjourn made by Mr. Mulligan, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. H. Lunsford,	Chas. B. Poyntz,
William Goebel,	James H. Mulligan,	D. W. Wright—6.

Those who voted in the negative, were—

Ben F. Bradley,	R. G. Hays,	Chas. Patteson,
B. F. Cockrell,	J. P. Huff,	A. L. Peterman,
Reuben Conner,	John R. Kemp,	B. F. Reynolds,
Sam E. English,	William Lindsay,	D. H. Smith,
G. W. Gates,	D. L. May,	A. H. Stewart—16.
T. L. Glenn,		

Mr. Mulligan moved to reconsider the vote by which the Senate had adopted the motion of Mr. Peterman, fixing the hour of 3 o'clock P. M., as the time to which the Senate would adjourn.

Mr. Peterman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	William Lindsay,	Phil Roberts,
Reuben Conner,	John McCann,	J. H. Shearer,
G. W. Gates,	Chas. Patteson,	D. H. Smith,
T. L. Glenn,	A. L. Peterman,	A. H. Stewart—13.
J. P. Huff,		

Those who voted in the negative, were—

J. B. Hannah,	Jas. H. Mulligan,	Chas. B. Poyntz—5.
John K. Hendrick,	J. J. Paul,	

The question was then taken on the adoption of the first amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—W. F. Berry—1.

Those who voted in the negative, were—

Ben. F. Bradley,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	D. L. May,	B. F. Reynolds,
G. W. Gates,	Jas. H. Mulligan,	Phil Roberts,
T. L. Glenn,	John McCann,	J. H. Shearer,
R. G. Hays,	Chas. Patteson,	D. H. Smith,
John K. Hendrick,	J. J. Paul,	D. W. Wright—22.
J. P. Huff,		

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected said amendment.

Which motion was simply entered.

The question was then taken on the adoption of the second amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	John P. Newman,	Chas. B. Poyntz—3.
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Those who voted in the negative, were—

W. H. Anderson,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	J. P. Huff,	J. J. Paul,
B. F. Cockrell,	John R. Kemp,	A. L. Peterman,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
Sam E. English,	D. L. May,	Phil Roberts,
G. W. Gates,	Jas. H. Mulligan,	D. H. Smith,
R. G. Hays,	John McCann,	D. W. Wright—21.

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected said amendment.

Which motion was simply entered.

The question was then taken on the adoption of the third amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	John McCann,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
B. F. Cockrell,	J. P. Huff,	J. J. Paul,
Reuben Conner,	John R. Kemp,	A. L. Peterman,
Sam E. English,	William Lindsay,	B. F. Reynolds,
G. W. Gates,	D. L. May,	Phil Roberts,
T. L. Glenn,	Jas. H. Mulligan,	D. H. Smith—21.

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected said amendment.

Which motion was simply entered.

The question was then taken on the adoption of the fourth amendment proposed by Mr. Mulligan to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	J. P. Huff,	J. J. Paul,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	B. F. Reynolds,
Reuben Conner,	D. L. May,	Phil Roberts,
Sam E. English,	Jas. H. Mulligan,	J. H. Shearer,
G. W. Gates,	J. W. McCain,	D. H. Smith,
R. G. Hays,	John McCann,	D. W. Wright—23.
John K. Hendrick,	Chas. Patteson,	

Mr. Mulligan moved to reconsider the vote by which the Senate rejected said amendment.

Which motion was simply entered.

The question was then taken on the adoption of the fifth amendment proposed by Mr. Mulligan to said bill, and was it decided in the negative.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	J. K. Hendrick,	John McCann,
Ben F. Bradley,	J. P. Huff,	Chas. Patteson,

B. F. Cockrell,	John R. Kemp,	A. L. Peterman.
Rueben Conner,	William Lindsay,	B. F. Reynolds,
Sam E. English,	D. L. May,	Phil Roberts,
G. W. Gates,	James H. Mulligan,	D. H. Smith—20.
R. G. Hays,	J. W. McCain,	

Mr. Mulligan moved to reconsider the vote by which the Senate had rejected said amendment.

Which motion was simply entered.

The question was then taken on the adoption of the sixth amendment proposed by Mr. Mulligan to said bill, and a quorum not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Mulligan and Goebel, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

W. H. Anderson,	R. G. Hays,	Chas. Pattenon,
Ben F. Bradley,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	J. P. Huff,	B. F. Reynolds,
Reuben Conner,	John R. Kemp,	Phil Roberts,
Sam E. English,	D. L. May,	D. H. Smith,
G. W. Gates,	John McCann,	D. W. Wright—18.

By unanimous consent the rules were suspended and the Senate took up for consideration a bill, which originated in the House, entitled

An act to prohibit the sale of spirituous, vinous or malt liquors, or fermented or hard cider, in Hendron District, of Washington county.

And the question being taken, "Shall the Senate adhere to or recede from the amendment adopted by the Senate to said bill?" And it was decided that it would recede therefrom.

Bills, which originated in the House of Representatives, of the following titles, were reported from the several committees to which they had been referred, viz :

By Mr. McCain, from the Committee on Public Expenditures—

An act to incorporate the Eminence, New Castle and Campbellsburg Dummy Railroad Company, in Henry county.

By Mr. Breckinridge, from the Committee on the Judiciary—
An act to incorporate the Crow's Shop and Little Flat Lick Turnpike Road Company.

By Mr. Lindsay, from the same committee—

An act to amend the charter of the Scoville and Lawrenceburg Turnpike Road Company, in Washington and Anderson counties.

By Mr. Lunsford, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Aid Association."

By Mr. Peterman, from the Committee on Education—

An act to charter the Owingsville Normal and Business College.

By Mr. Lunsford, from the Committee on Banks and Insurance—

An act to incorporate the Pioneer Tornado Insurance Company.

By Mr. Paul, from the Committee on Codes of Practice—

An act to authorize Whitley County Court to build bridges in Whitley county, and raise funds therefor.

By Mr. Kemp, from the Committee on Revenue and Taxation—

An act amending section 7, article 5, chapter 92, of the General Statutes, title "Revenue and Taxation."

By Mr. Gates, from the Committee on Courts of Justice—

An act to repeal section 8 of an amendment to the charter of the city of Owensboro, approved April 22, 1886.

By Mr. Bradley, from the Committee on Railroads—

An act to incorporate the Paducah, Nashville and Charleston Railroad Company.

By Mr. Peterman, from the Committee on Education—

An act for the benefit of Miss Rosa Mattingly, of Daveiss county.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several

committees which were directed to prepare and bring in the same, viz :

By Mr. Lunsford, from the Committee on Railroads—

An act to incorporate the Lexington and Eastern Railway Company.

By Mr. Peterman, from the Committee on Education—

An act to amend article 5, section 6 of the common school law.

By Mr. Wright, from the Committee on General Statutes—

An act for the relief of the estate of T. J. Megibben, surety of Warner, Tabler & Co., contractors for convict labor.

By Mr. Breckinridge, from the Committee on the Judiciary—

An act to incorporate the Kentucky Water, Heating, Illuminating Company, of Lexington.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to better promote the interests of agriculture, horticulture and statistics of Kentucky ;

An act authorizing the county court of Lincoln county to pay A. M. Feland the amount overpaid by said Feland as late sheriff of said county, money due him for the years 1876 and 1877 ;

An act to incorporate the Beechwood Banking Company, of Daveiss county ;

An act to amend an act, entitled "An act to amend and reform the common school laws of this Commonwealth ;"

An act to amend an act, entitled "An act to establish and incorporate South Covington District, in Kenton county ;"

An act to incorporate the Middlesborough City Transfer Company ;

An act for the benefit of Mary E. Jobe ;

An act to incorporate the Hybernian Turnpike Company ;

An act to amend the charter of the Mississippi Valley and Cumberland Gap Railroad ;

An act for the benefit of A. M. Rigg, of Moxley, in Owen county ;

An act to repeal an act approved May 13, 1886, entitled "An act to repeal an act, entitled 'An act to regulate the advertising of real estate and personal property under execution sales, sales under decrees or judgments, and sales of real estate for State and county taxes in Boyd county, and fixing compensation therefor, and to re-enact an act approved May 5, 1880, regulating the advertising of such sales ;' "

An act for the protection of fish in the various running public streams tributary to the Ohio and Licking rivers, in Kenton county ;

An act to incorporate the Bond's Mill and Wilson Ferry Turnpike Road Company, in Anderson county ;

An act to amend an act, entitled "An act to make provisions for establishment of water-works in the city of Stanford, and authorize the city council of the city of Stanford to issue bonds to aid in the establishment of water-works for said city, and to provide for the payment of the principal and interest of said bonds ;"

An act to incorporate the Constitutionalist Printing and Publishing Company, of Eminence, in Henry county ;

An act to change the county line between the counties of Mercer and Anderson ;

An act to amend an act, entitled "An act for the benefit of the public roads in Barren, Metcalfe and Monroe counties," approved April 1, 1882 ;

An act for the benefit of Christian College, Hustonville, Kentucky ;

An act to incorporate the Greensburg and Glasgow Railroad Company ;

An act for the benefit of Cassin and Boyle, of Shelby county ;

An act to incorporate the Eminence and Drennon Springs Railroad Company ;

An act to repeal all acts incorporating the town of Farmers, in Rowan county, and make new charter for same ;

An act to incorporate the Grassy Flats Draining Company, and to promote the drainage of wet lands ;

An act to amend article 4, chapter 12, of the General Statutes, title change of venue in criminal cases ;

An act to amend an act, entitled "An act to incorporate the Middlesborough Water Company," approved February 25, 1890 ;

An act to amend an act, entitled "An act to change the time of holding the examination of county superintendent, so far as the same applies to the counties of Knott and Letcher ;"

An act to close 82 feet 9 inches of a certain alley running east and west between Kentucky and Mechanic streets, in the city of Louisville ;

An act to incorporate the Williamsburg Bridge Company ;

An act to incorporate the Christian Church, of Ludlow Kenton county ;

An act to amend an act to incorporate the town of Bethlehem ;

An act to incorporate the Germantown Deposit Bank, of Kentucky ;

An act to authorize the trustees of Carrollton to sell and convey certain land belonging to said town ;

An act for the benefit of the New Castle and Drennon Turnpike Road, in Henry county ;

An act to prohibit the sale of spirituous vinous or malt liquors, or any mixture thereof, within the limits of school district, No. 113, known as Dry Fork District, in Barren county ;

An act to authorize the trustees of common school district No. 31, in Estill county, and the Worshipful Master, Senior and Junior Wardens, of Lodge No. 137 of Free and Accepted Masons, to unite in the purchase of, or procurement of a lot, and erect thereon a school-house and lodge-room ;

An act providing a road law for Trigg county ;

An act to amend "An act to amend the charter of the city of Covington," approved May 13, 1890 ;

An act to amend the charter of the city of Louisville ;

An act for the benefit of D. P. Scott, of the city of Lexington ;

An act for the benefit of Lewis Sandlin, ex-sheriff of Jackson county;

An act permitting the United States Government to acquire title to real estate at Paris, Bourbon county;

An act for the benefit of Joseph M. Plummer, of Fleming county;

Resolution for the benefit of B. F. Landrum, of McLean county, committee for Lavina Bracket, a pauper idiot;

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to authorize the people of Lagrange and Westport voting precincts, in Oldham county, to vote a tax for the purpose of building a turnpike road in said precincts ;

An act to incorporate the Farmers' Bank of West Liberty, Kentucky, conferring upon it the powers, rights and franchises, and imposing upon it the penalties, duties and liabilities of the Beattyville Deposit Bank, and changing the name and location of the Beattyville Deposit Bank, of Beattyville, Lee county, Kentucky, to that of the Farmers' Bank, of West Liberty, Morgan county, Kentucky, and changing the names of the incorporators of the said Beattyville Deposit Bank ;

An act for the relief of the estate of T. J. Megibben, surety of Warner, Tabler & Co., contractors for convict labor ;

An act to amend an act, entitled "An act to provide for the construction of a levee along the water front of the city of Newport," approved May 20, 1890 ;

An act to amend the title of chapter 1656, approved May 20, 1890 ;

An act to incorporate the Lexington and Eastern Railway Company ;

An act for the benefit of George T. Simonds, of Maysville ;

An act to prohibit playing base-ball on Sunday in Union county;

An act to amend an act, entitled "An act to incorporate the Jessamine County Fair Company;"

An act to amend an act, entitled "An act to incorporate the Central Refrigerating Construction Company," approved May 1, 1888 ;

An act to incorporate the Central Mineral Railroad Company;
An act authorizing the county of Jessamine to subscribe aid to any railroad company;

An act to incorporate the Mulberry Hill Improvement Company;

An act for the benefit of B. F. Sechrest, of Grant county;

An act to amend the charter of the Louisville Cement Company;

An act to amend an act, entitled "An act imposing a tax on dogs, and to provide for its collection and appropriation for the benefit of common schools in certain counties in this Commonwealth ;

And had found the same correctly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Breckinridge from the Committee on Charitable Institutions, to whom was referred leave to bring in a bill, entitled

An act for the benefit of Curtin and Campbell,

Reported the same, with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer for the sum of \$510 in favor of Curtin and Campbell, it being balance due them for services as architects, as shown by report of S. C. Long and J. L. Shallcross, special commissioners, dated January 17, 1890.

§ 2. That this act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Lindsay,	Chas. Patteson,
W. F. Berry,	J. H. Lunsford,	A. L. Peterman,
Ben. F. Bradley,	J. W. Martin,	J. M. Pieratt,
R. J. Breckinridge,	D. L. May,	B. F. Reynolds,
G. W. Gates,	James H. Mulligan,	J. H. Shearer,
T. L. Glenn,	J. W. McCain,	D. H. Smith,
J. B. Hannah,	John P. Newman,	D. W. Wright—22.
John R. Kemp,		

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

By unanimous consent the rules were suspended, and Mr. Pieratt reported a bill, entitled

An act to incorporate the Farmers' Bank of West Liberty, Kentucky, conferring upon it the powers, rights and franchises, and imposing upon it the penalties, duties and liabilities of the Beattyville Deposit Bank, and changing the name and location of the Beattyville Deposit Bank, of Beattyville, Lee county, Kentucky, to that of the Farmers' Bank of West Liberty, Morgan county, Kentucky, and changing the names of the incorporators of the said Beattyville Deposit Bank.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and Mr. Berry reported a bill, entitled

An act to amend an act, entitled "An act to provide for the construction of a levee along the water front of the city of Newport," approved May 20, 1890.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and Mr. Hannah reported a bill, entitled

An act to amend the title of chapter 1656, approved May 20, 1890.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Kemp, from the Committee on Library, Public Buildings and Offices, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Ballard & Thompson, of Paducah, Kentucky,

Reported the same without amendment.

Ordered, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, It appears that between the dates of February 20, 1882, and December 24, 1884, Messrs. Ballard & Thompson, then and now owners and proprietors of the Paducah Daily News, a newspaper published in the city of Paducah, Kentucky, did, through and at the instance of W. R. Howell, then an active and duly appointed agent of the Auditor of this Commonwealth, furnish to and for and on behalf of this State, stationery consisting of various blanks, books, forms, notices, etc., and did printing for the State to the amount \$1,056.10, all of which is fully shown by an itemized statement hereto attached, and all of which was proper, necessary and required by said Howell as

such agent of the Auditor and of this State, and was so done by said Ballard & Thompson, and furnished to said agent to enable him to discharge his duties as such agent, and all of which was so used by him and for the benefit of the State; and whereas, Said Ballard & Thompson have been paid no part of said sum, except \$445, as shown in said annexed statement, leaving due and unpaid to them the sum of \$611.10; and whereas, The State has received the full benefit of all said stationery, printing, etc., and said Ballard & Thompson ought to be paid therefor, and the same has not been done, except as herein stated; and whereas, There is no law authorizing the Auditor to pay same, and that full justice may be done; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the Auditor be, and he is hereby authorized and directed to draw his warrant on the Treasury for the sum of \$611.10 in favor of said Ballard & Thompson, and the Treasurer is hereby ordered to pay same.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

G. W. Gates,	James H. Mulligan,	J. J. Paul,
T. L. Glenn,	J. W. McCain,	A. L. Peterman,
William Lindsay,	John P. Newman,	J. M. Pieratt,
J. H. Lunsford,	Chas. Patteson,	D. H. Smith—12.

In the negative—none.

Mr. Patteson, from the Committee on Claims, to whom was referred leave to bring in a bill, entitled

An act for the benefit of S. C. Long, J. Q. A. Stewart and J. L. Shallcross, late commissioners to supervise the improvement of the Eastern and Central Lunatic Asylums.

Reported the same with the expression of opinion that said bill ought to pass.

Which bill was read the first time, and ordered to be read a second time,

The Constitutional provision as to the second reading of said bill being dispensed with,

Said bill was read a second time as follows, viz:

WHEREAS, The Legislature of Kentucky, at its session of

1885-86, passed an act appropriating \$34,000 for the benefit of the Eastern Kentucky Lunatic Asylum (to finish the new building, etc.), and \$42,000 for the benefit of the Central Kentucky Lunatic Asylum (to complete the new building, and construct a new building for colored patients), and said act provided that said money should be placed in the hands of three commissioners, to be appointed by the Governor, and directed said commissioners to supervise said improvements and disburse said funds, and the Governor thereupon appointed S. C. Long, J. Q. A. Stewart and J. L. Shallcross as commissioners aforesaid, who accepted said appointment, and carefully supervised said work and improvements, and disbursed said fund faithfully, as required by said act, and said commissioners have never received any compensation for their services, although a great part of their time was occupied in said work for over two years; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the sum of two per cent. commission on the amount so disbursed by said commissioners under said act be, and the same is hereby, appropriated to pay them for the services aforesaid, and the Auditor is hereby authorized and directed to draw his warrant on the Treasurer in favor of said commissioners for said sum.

§ 2. This act to take effect from its passage.

Ordered, That said bill be engrossed and read a third time.

Mr. Smith objected to the third reading of said bill on this day.

So the same fell into the orders of the day.

By unanimous consent the rules were suspended, and Mr. Darby reported a bill, entitled

An act authorizing the court of claims of Caldwell county to levy a tax to build a new jail.

Which bill was read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Ordered, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time, as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the court of claims of Caldwell county, a majority of the magistrates of said county being present and concurring therein, are authorized to levy a tax upon the real and personal property cited for taxation in said county, not

exceeding twenty-five cents on the one hundred dollars in any one year, for the purpose of creating a fund to be used solely in building a new jail in said county; and said court may continue to levy said tax for as many years as may be necessary to raise the amount needed in building said jail; and said court may, if they see fit so to do, in addition to the property tax herein authorized, levy a poll tax for same purpose, not exceeding one dollar on each head in any one year.

§ 2. In order to enable said court of claims to proceed at once in erecting said jail, without waiting for the collection of the tax herein authorized, said court of claims is authorized to borrow, from time to time, on the faith of said county, such sums of money as may be needed to build said jail, and to pay interest thereon at the rate of not exceeding eight per cent. per year; but the sums so borrowed shall not exceed in the aggregate ten thousand dollars.

§ 3. In case the court shall elect to issue bonds, they shall have power to levy, collect and use such tax as may be necessary to pay principal and interest of such bonds as may be issued, and to raise such additional amount as may be necessary to carry out the purposes of this act.

§ 4. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	J. W. Martin,	Chas. B. Poyntz,
F. W. Darby,	D. L. May,	B. F. Reynolds,
G. W. Gates,	Jas. H. Mulligan,	J. H. Shearer,
William Goebel,	J. W. McCain,	D. H. Smith,
R. G. Hays,	John P. Newman,	A. H. Stewart,
J. B. Hannah,	Chas. Patteson,	D. W. Wright—27.

In the negative—none.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, requesting the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to ask the withdrawal,

unsigned, from the hands of the Governor of a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Falls City Real Estate Company,

Which was granted.

Whereupon the Speaker appointed Mr. McCann said committee on the part of the Senate.

After a short time, Mr. McCann, from said committee, reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. McCann moved to reconsider the vote by which the Senate had passed said bill.

And the question being taken thereon, it was decided in the affirmative.

The third reading of said bill, as also the vote ordering it to a third reading, were then reconsidered.

Mr. McCann proposed an amendment to said bill,

Which was adopted.

Ordered, That said bill as amended be read a third time.

The constitution provision as to the third reading of said being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill, which originated in the House of Representatives, entitled

An act to change the time of holding the circuit courts in the Seventh Judicial District of this Commonwealth.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE, }
FRANKFORT, KY., May 26, 1890. }

Gentlemen of the Senate and House of Representatives :

I have heard that the General Assembly, overruling the objections of the Governor, have enacted into a law the bill

reducing taxation as applicable to the general expenditure fund from 20 cents to 15 cents on the hundred dollars.

The objection urged by the Executive to the passage of the bill at the time was, that while a reduction of taxation was perfectly feasible, provided there were a corresponding reduction of expenses, it would injure the credit of the State to make this reduction until provisions should be made for lessening the expenses to be paid out of the general expenditure fund.

It is needless to recapitulate the subjects then suggested for your consideration. Some of them have been acted on and reductions of expenses have been made, but many of them have not received practical consideration at your hands.

The expenditures ordered by existing laws must be met, and the only means of meeting them are from the resources which can be provided for only by the General Assembly.

I have requested the Auditor of Public Accounts to make as close an estimate as possible of the income and expenditures of the general expenditure fund, based on the rate of 15 cents to which it has been reduced, and taking into consideration the existing appropriations, the expenses of the Constitutional Convention, and all the reductions of expenses authorized up to this date.

According to this estimate, there will be a deficit in the Treasury on July 1, 1890, of about \$20,000.

The deficit can be tided over by taxes paid soon after that date by the banks. But after full allowance has been made for a probable increase in the value of property, there will be an estimated deficit in the Treasury on July 1, 1891, of from \$140,000 to \$150,000.

If this deficit be not provided for some way, not only will the credit of the State be injuriously affected, but the administration of justice will be seriously impaired.

It is for the General Assembly, with whom alone the remedy lies, to determine whether this deficit be removed by a further reduction of expenses or by an increase of the resources of the general expenditure fund.

An estimate will show that under the present appropriations and under existing laws, the credit of the State can not be main-

tained if the resources of the general expenditure fund be reduced below 18 cents, or possibly $17\frac{1}{2}$ cents on the hundred dollars.

The duty of the Executive is discharged in informing the General Assembly of the condition to which the Treasury is brought under existing laws.

Respectfully,

S. B. BUCKNER.

On motion of Mr. Mulligan—

Ordered, That said message be referred to the Committee on Revenue and Taxation.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz :

EXECUTIVE OFFICE,
FRANKFORT, May 26, 1890. }

Gentlemen of the Senate and House of Representatives :

It is but an act of justice to an efficient officer of the State that I should transmit to the General Assembly the accompanying communication from the Public Printer, correcting serious errors which I have committed in estimating the cost of printing the public acts.

While this statement is a proper correction of the amount erroneously estimated in my communication, it does not touch the principle involved. The State should not incur the expense, be it large or small, of publishing three thousand copies of private and local acts, which have no interest to the public at large.

On the hypothesis that the private and local acts of the present General Assembly can not be compressed into less than three volumes, requiring, under existing laws, the printing of nine thousand volumes, and estimating the cost per volume at \$1.63, as stated by the Public Printer, the cost of printing these acts would be \$16,470. Deduct from the cost of printing three hundred copies or nine hundred volumes of these acts, which will be sufficient for public purposes, amounting to \$1,467, would leave a balance of \$15,000 unnecessarily expended in printing acts of no public importance. With an approaching deficit in the Treasury, this is a sum well worth saving to the people.

Very respectfully

S. B. BUCKNER.

Which letter was read as follows :

FRANKFORT, KY., May 23, 1890.

HON. S. B. BUCKNER, *Governor* :

MY DEAR SIR: In an official communication made by you to the General Assembly under date of May 22, the following appears :

“In consequence of the large number of voluminous town charters recently enacted, it is believed that the acts of the present session can not be compressed into less than four large volumes. When it is considered that all acts of a public character could be included in one small volume, and that under existing laws three thousand copies of all the acts are published, the unnecessary cost to the State for the printing of 3,000 copies, or more than 9,000 volumes of acts of no public importance whatever, and of interest to only a few individuals, becomes at once apparent. It is estimated that the cost of each one of these volumes is about five dollars, making an unnecessary cost to the State for the printing of private acts of from \$40,000 to \$45,000. It is recommended that there be printed 3,500 copies of the General Acts, to provide for the increased number of officials, and that the number of copies of the private and local acts be reduced to 300 copies, which would be adequate to supply every county, the public offices and libraries. In this way, it is believed that a sufficient amount can be saved from public printing alone, to provide for the proposed addition to the Lunatic Asylums.”

As to the advisability of an acceptance by the General Assembly of these suggestions, I have nothing to say. It has been my rigid rule, during a somewhat protracted official connection with the legislative department of the State government, to in nowise interfere, by suggestion or otherwise, with legislative action. But I beg leave to call your attention the following sentence in the extract above quoted :

“It is estimated that the cost of each one of these volumes is about five dollars, making an unnecessary cost to the State for the printing of private acts, of from \$40,000 to \$45,000.”

The official supplying these figures to you has grievously erred, and placed the Public Printer and Binder in the false attitude of preying upon the Treasury of the State. I have

the honor to cite you to the published report of the business of the State, transacted by the Public Printer and Binder, from August 6, 1888, to January 5, 1889, when Dr. John D. Woods retired from the office; and from January 5, to August 5, 1889, during which time the office was, as it is now, under my charge.

On the pages 12 and 13 of that report, will be found the account for printing the three volumes of the Acts of the General Assembly, referred to in your communication. This amounts to \$5,546.17.

On pages 26 and 27 is the amount for binding these same acts, which amount to \$6,133.50. The paper used was furnished by the State, and cost \$3,000.

This is a total cost of \$14,679.67, for the 3,000 copies of the Acts which I am required by law to print, bind and deliver to the Secretary of State. For the set of three volumes, the cost is \$4.89, for the single volume, \$1.63.

Let me recapitulate—

Printing 3,000 copies	\$5,546 17
Binding 3,000 copies	6,133 50
Paper for 3,000 copies	3,000 00
Total	<u>\$14,679 67</u>
Per set of three volumes	\$4 89
Per single volume	1 63

I take pleasure in officially laying these figures before you, knowing, as I do, your desire to be strictly accurate in all your statements, and being fully conscious that you would not willingly be the means of placing any one in an unjust position.

I beg that you will lay before the General Assembly so much of this communication as may be deemed appropriate.

I have the honor to be

Very respectfully yours,

E. POLK JOHNSON,

Public Printer and Binder.

On motion of Mr. Mulligan—

Ordered, That said message be referred to the Committee on Revenue and Taxation.

And then the Senate adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

At 3 o'clock P. M. the Senate met pursuant to adjournment.

By unanimous consent the rules were suspended, and the Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act requiring corporations, companies, associations, firms and persons engaged in mining or manufacturing in this State to pay their employes semi-monthly in lawful money of the United States, prohibiting the issue of scrip, regulating the sale of merchandize and supplies by employer to employe, and providing penalties for violation.

(For bill and pending amendments, see Senate Journal May 10th, page 1606, and Journal of May 15th.)

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Smith, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. H. Lunsford,	J. M. Pieratt,
R. J. Breckinridge,	Chas. Patteson,	B. F. Reynolds,
B. F. Cockrell,	J. J. Paul,	D. H. Smith,
R. G. Hays,	A. L. Peterman,	D. W. Wright—12.

Those who voted in the negative, were—

Sam E. English,	J. W. Martin,	John P. Newman,
G. W. Gates,	D. L. May,	Chas. B. Poyntz,
T. L. Glenn,	Jas. H. Mulligan,	Phil. Roberts,
William Goebel,	J. W. McCain,	J. H. Shearer,
J. B. Hannah,	John McCann,	A. H. Stewart—15.

Mr. Peterman moved that the Senate do now take a recess until 12:50 o'clock P. M. on this day.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. H. Lunsford,	A. L. Peterman,
R. J. Breckinridge,	Chas. Patteson,	J. M. Pieratt,
B. F. Cockrell,	J. J. Paul,	D. W. Wright—9.

Those who voted in the negative, were—

Sam E. English,	D. L. May,	C. B. Poyntz,
G. W. Gates,	Jas. H. Mulligan,	Phil. Roberts,
T. L. Glenn,	J. W. McCain,	J. H. Shearer,
William Goebel,	John McCann,	D. H. Smith,
J. B. Hannah,	John P. Newman,	A. H. Stewart—16.
J. W. Martin,		

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	J. H. Lunsford,	A. L. Peterman,
R. J. Breckinridge,	D. L. May,	J. M. Pieratt,
B. F. Cockrell,	Chas. Patteson,	D. H. Smith,
William Lindsay,	J. J. Paul,	D. W. Wright—12.

Those who voted in the negative, were—

Sam E. English,	J. B. Hannah,	John P. Newman,
G. W. Gates,	J. W. Martin,	Chas. B. Poyntz,
T. L. Glenn,	J. W. McCain,	J. H. Shearer,
William Goebel,	John McCann,	A. H. Stewart—12.

Mr. May proposed to amend said bill as follows, viz:

1. Amend by striking out the first section.
2. Amend by striking out the second section.
3. Amend by striking out the third section.
4. Amend by providing this act shall not apply to Henderson county.

Mr. Smith proposed the following amendments to said bill, viz:

1. Amend by striking out the enacting clause.
1. Amend by striking out of eighth line of section 1 the words "at least once every two weeks."

Amend by inserting after the word "goods," in ninth line of section 1, the following: "But such employer may deduct from the sum due said employe all sums owing by said employe to his or her employer."

Mr. Breckinridge moved that the further consideration of said bill and pending amendments be indefinitely postponed.

Mr. Peterman moved that said bill and pending amendments be laid upon the table.

Mr. Goebel moved that the Senate do now adjourn.

Mr. Smith moved that when the Senate adjourns it be to meet on to-morrow at 9 o'clock A. M.

Mr. Peterman moved that when the Senate adjourns it be to meet again on this day at 9 o'clock P. M.

Mr. Stewart moved that the further consideration of the bill and pending amendments be postponed, and that the rules be suspended, and he be given unanimous consent to call up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the counties of Johnson, Floyd, Pike and Martin, and municipalities and civil districts therein, to exempt from taxation the property of the Ohio and Big Sandy Railroad Company for a certain period.

Mr. Goebel objected thereto.

Pending the consideration of said bill and proposed amendments a message was received from the House of Representatives, announcing that they had passed a bill, which originated in that body, entitled

An act to promote the interest of agriculture, horticulture and Statistics of Kentucky.

Which bill was read the first time, and ordered to be read a second time.

Mr. Pieratt objected to the second reading of said bill on this day.

Mr. Hendrick moved that the rules be suspended, and that said bill be taken up and given its second reading.

And the question being taken thereon, it was decided in the affirmative.

Said bill was read a second time as follows, viz :

WHEREAS, It is necessary to promote the interest of agriculture, horticulture and Statistics in Kentucky, being essentially

an agricultural State, the former appropriation of \$2,000 per annum for all the purposes contemplated under the law is entirely inadequate to the demands of the people, and the exigencies of the times. Recent developments of our vast wealth in coal, minerals, timber, stone and different kinds of clay is attracting within our borders large sums of money, and there is a universal desire for information relating to Kentucky from almost every section of the country ; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That in lieu of the appropriation now existing, \$13,000 annually, be, and the same is hereby, appropriated out of any funds in the Treasury not otherwise appropriated for the maintenance and support of the Bureau of Agriculture, Horticulture and Statistics, upon the same conditions as the original appropriation.

§ 2. That the Commissioner of Agriculture, Horticulture and Statistics be allowed a clerk or clerks of his own selection, the total salary not to exceed \$1,200 per annum.

§ 3. That the Governor of Kentucky is hereby authorized to appoint an advisory board of four persons, the director of the Experimental Station at Lexington, to be one of the four. It shall be the duty of said advisory board to meet at Frankfort, or such other place as they may agree upon, at least four times a year to council together and take such steps as they may deem best for the general agricultural, horticultural and statistical interest of the State. The commissioner shall be chairman of this board. He shall have the right to call meetings and adjourn the same. The duties of said board appointed by the Governor shall be merely advisory. The legitimate expenses in such meetings shall be made out of this appropriation. This board shall have power to call meetings in the different counties of the State, and the commissioners, or some one of the board, shall attend and employ assistance as may be necessary for the purposes aforesaid. Three members of the board shall constitute a quorum. All money paid out of this appropriation, expended by said board, shall have the approval of a majority of the board, and every voucher shall set forth for what the money was paid. By reason of increased responsibility and duties the commissioner is allowed an extra salary of five dollars per annum, to be paid as heretofore.

§ 4. That such person or persons shall be selected by the board aforesaid as, in their judgment, are best qualified and equipped to go into those counties in the State and in those parts of said counties where facts and information are most needed by the farmers, and where their opportunities have been few, and where they are not able to buy books or to take agricultural papers ; and such person or persons so sent out among the farmers shall give public lectures at the most public places in said sections of the counties, and shall scatter agricultural literature when such lectures are made.

§ 5. That the sum of thirteen thousand dollars appropriated as aforesaid shall cover all the expenses of every kind growing out of this act, and also the salaries of the commissioner and clerk's pay, and all expenses connected with and growing out of this department of the State government.

§ 6. This act shall take effect from its passage.

Mr. Poyntz proposed the following amendments to said bill, viz:

Amend by striking out the words "thirteen thousand," and inserting the words "ten thousand."

Amend by striking out the words "thirteen thousand," and inserting the words "nine thousand."

Amend by striking out the provision for extra salary of \$500 the to commissioner.

Mr. May moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the first amendment proposed by Mr. Poyntz to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and McCain, were as follows, viz:

Those who voted in the affirmative, were—

B. F. Cockrell,	J. W. Martin,	J. M. Pieratt,
William Goebel,	James H. Mulligan,	Chas. B. Poyntz,
R. G. Hays,	Jno. P. Newman,	Phil Roberts,
J. B. Hannah,	A. L. Peterman,	J. H. Shearer—13.
J. H. Lunsford,		

Those who voted in the negative, were—

W. F. Berry,	T. L. Glenn,	J. W. McCain,
R. J. Breckinridge,	John K. Hendrick,	John McCann,
Reuben Conner,	J. P. Huff,	Charles Patteson,
Sam E. English,	William Lindsay,	J. J. Paul,
G. W. Gates,	D. L. May,	D. H. Smith—15.

The question was then taken on the adoption of the second amendment proposed by Mr. Poynts to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Pieratt, were as follows, viz:

Those who voted in the affirmative, were—

B. F. Cockrell,	J. W. Martin,	Phil Roberts,
William Goebel,	John P. Newman,	J. H. Shearer,
R. G. Hays,	Chas. B. Poyntz,	A. H. Stewart—10.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	John McCann,
R. J. Breckinridge,	William Lindsay,	Chas. Patteson,
Reuben Conner,	J. H. Lunsford,	J. J. Paul,
Sam E. English,	D. L. May,	A. L. Peterman,
G. W. Gates,	Jas. H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	D. W. Wright—19.
John K. Hendrick,		

The question was then taken on the adoption of the third amendment proposed by Mr. Poyntz to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Pieratt, were as follows. viz :

Those who voted in the affirmative. were—

B. F. Cockrell,	J. W. Martin,	Phil Roberts,
R. G. Hays,	J. M. Pieratt,	J. H. Shearer—8.
J. B. Hannah,	Chas. B. Poyntz,	

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	John P. Newman,
R. J. Breckinridge,	William Lindsay,	Chas. Patteson,
Reuben Conner,	J. H. Lunsford,	J. J. Paul,
Sam. E. English,	D. L. May,	A. L. Peterman,
G. W. Gates,	Jas. H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	D. W. Wright—20.
John K. Hendrick,	John McCann,	

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative were—

W. F. Berry,	J. P. Huff,	John P. Newman,
R. J. Breckinridge,	William Lindsay,	Chas. Patteson,
Reuben Conner,	J. H. Lunsford,	J. J. Paul,
Sam E. English,	D. L. May,	A. L. Peterman,
G. W. Gates,	James H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
William Goebel,	John McCann,	D. W. Wright—22.
John K. Hendrick,		

Those who voted in the negative were—

B. F. Cockrell,	J. W. Martin,	B. F. Reynolds,
R. G. Hays,	J. M. Pieratt,	Phil Roberts,
J. B. Hannah,	Chas. B. Poyner,	J. H. Shearer—9.

Resolved, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles:

An act to incorporate the Farmers' Bank of West Liberty, Kentucky, conferring upon it the powers, rights and franchises, and imposing upon it the penalties, duties and liabilities of the Beattyville Deposit Bank, and changing the name and location of the Beattyville Deposit Bank, of Beattyville, Lee county, Kentucky, to that of the Farmers' Bank of West Liberty, Morgan county, Kentucky, and changing the names of the incorporators of said Beattyville Deposit Bank.

An act to incorporate the Lexington and Eastern Railway Company.

An act for the relief of the estate of T. J. Megibben, surety of Warner, Tabler & Co., contractors for convict labor.

An act to amend an act to provide for the construction of any levee along the water front of the city of Newport.

An act authorizing the court of Claims of Caldwell county to levy a tax to build a new jail.

An act to amend an act, entitled "An act to establish a State Board of Equalization of Assessments in this Commonwealth," approved May 4, 1888.

By unanimous consent, Mr. McCain, from the Special Joint Committee on Appropriations, reported a bill, entitled

[An act appropriating money.

Said bill was read the first time as follows :

Be it enacted by the General Assembly of the Commonwealth of Kentucky: § 1. That the following sums of money are hereby appropriated to the following named persons, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor of Public Accounts :

§ 2. To the ministers of the Gospel of Frankfort for their services in opening the Senate and House of Representatives with prayer during the present session, the sum of four hundred dollars, to be drawn by Willis L. Ringo and distributed equally amongst them.

§ 3. To Guy Barrett, for newspapers furnished the General Assembly during the present session, the sum of one thousand five hundred and ninety-three dollars and fifty cents.

§ 4. To the Capital Publishing Company, for daily papers laid on the desks of the members of the General Assembly during the present session, the sum of seven hundred and thirteen dollars and twenty-eight cents.

§ 5. To the enrolling clerks of the Senate and House of Representatives during the present session, the sums of ten dollars per day each.

§ 6. To the assistant enrolling clerks of the Senate and House of Representatives, the sums of eight dollars per day each, from the date of their appointment, the same to be certified by the clerks of each House.

§ 7. To the sergeants-at-arms of the Senate and House of Representatives, during the present session, the sum of eight dollars per day each.

§ 8. To the clerks and assistant clerks of the Senate and House of Representatives, ten dollars per day each, including the second assistant clerks, in both House and Senate, from the date of their appointment; to the chief clerks and assistant clerks of the House of Representatives and Senate, ten dollars per day each for ten days after adjournment, to complete the work of editing the acts and preparing them for publication.

§ 9. To the door-keepers of the Senate and House of Representatives, during the present session, the sum of eight dollars per day each.

§ 10. To the cloak-room keepers of the Senate and House of Representatives during the present session, the sum of four dollars each per day.

§ 11. To the pages of the Senate and House of Representatives, the sum of three dollars per day each during the time they attended the session for the time each served; to the page of the Governor the sum of four dollars per day from the date of his entrance upon his duties.

§ 12. To the assistant in House cloak-room, the sum of two dollars and fifty cents per day during the session.

§ 13. To the janitors in the Senate and House of Representatives, the sum of six dollars per day each.

§ 14. To the assistant janitors of the Senate and House of Representatives, the sum of four dollars per day each.

§ 15. To the Speakers *pro tem.* of the Senate and House of Representatives, the sum of five dollars per day for each day they served, the number of days of such service to be certified by the Clerks of each House.

§ 16. To the Speakers of the Senate and House of Representatives, ten dollars per day each and mileage in full for their services.

§ 17. To J. T. Orr for extra services rendered in Library during the present session, three hundred dollars.

§ 18. To the Chief Clerk and Assistant Clerk of the Senate for keeping the accounts of members and officers and making out warrants for salary, each, forty dollars.

§ 19. To the Chief Clerk and Assistant Clerk of the House of Representatives for keeping the accounts of members and officers and making out warrants for salary, each, one hundred dollars.

§ 20. To Mrs. C. Kendall, for room rent for House Clerk's office during this session, twenty-five dollars per month during its occupancy.

§ 21. To Mrs. M. E. Taylor, for room rent for Senate Clerk's office during the session, twenty-five dollars per month during its occupancy.

§ 22. To W. O. Mize, fifty dollars, and to Albert C. Norman fifty dollars for room rent for House Enrolling Clerk's office during the session.

§ 23. To John T. Buckley, for room rent for Senate Enrolling Clerk's office during this session, fifty dollars.

§ 24. To N. M. Moore and Tibbis Carpenter, members of Committee on Charitable Institutions, traveling and hotel expenses from Frankfort to Hopkinsville and return, the sum of twenty-six dollars each.

§ 25. To W. D. Hines, stenographer, for services in Jackson case, per account filed, one hundred and seventy-six dollars.

§ 26. To W. D. Hines, stenographer, for services in Lilly investigation per account filed, the sum of one hundred and four dollars.

§ 27. To Alexander Hotel, Louisville, expense of Committee in Jackson case, the sum of twenty-one dollars and seventy-five cents.

§ 28. To W. T. Cox, the sum of sixteen dollars and ninety cents, amount paid by said Cox for telegraph messages in the Jackson case.

§ 29. To those persons who did engrossing and enrolling, the sum of twenty-five cents a page for each page enrolled or engrossed, and the Clerk of the Senate shall certify the names of those who did engrossing or enrolling for the Senate, and the

number of pages engrossed or enrolled by each person for the Senate ; and the Clerk of the House shall certify to the Auditor the names of those who did engrossing or enrolling for the House, and the number of pages so engrossed or enrolled by each person for the House.

§ 30. To Geo. W. Castle, for sleeping car, draping, telegraphing and hotel fare, expenses of committee attending Hon. James B. Beck's funeral, the sum of one hundred and thirty-seven dollars and eighty-nine cents.

§ 31. To James Coleman, for washing towels, twenty-nine dollars and eight cents.

§ 32. To G. W. Castle for amount paid for post-office box rent for Senate during this session, two dollars.

§ 33. To Mrs. Amanda Butcher, for washing towels for House of Representatives and Cloak-room, during this session, twenty dollars.

§ 34. To B. F. Remington for railroad fare and hotel bill at Frankfort while attending committee to investigate penitentiary affairs, three dollars and seventy-five cents.

§ 35. To W. D. Hines, stenographer in Mason-Foard investigation, four hundred and fifteen dollars and fifty cents.

§ 36. To John T. Orr for services as type-writer in Mason-Foard investigation, three dollars.

§ 37. To J. G. McLean, stenographer, for services in Mason-Foard investigation, twenty-one dollars.

§ 38. To W. W. Stephenson, stenographer, for services in Mason-Foard investigation, twenty-six dollars.

§ 39. To G. W. Castle for expenses of telegrams, three dollars and thirty-five cents.

§ 40. To Robert Allen for stoker in capital building, four dollars per day.

§ 41. To committee for expenses incurred by them in investigating the condition and management of the branch penitentiary at Eddyville, to-wit : J. W. McCain, B. F. Reynolds, C. B. Poyntz, J. H. Shearer, J. J. Nall and W. B. Smith, fifteen dollars each ; also to Walker D. Hines, stenographer for said committee, fifteen dollars and fifty cents ; also to W. W. Stephenson, stenographer for said committee, thirty-two dollars.

§ 42. To R. B. Tyler for amount paid out in attending the Lilly-Jackson and penitentiary investigation, one hundred dollars.

§ 43. To J. G. McLean, stenographer, for services in the joint committee of Senate and House to investigate lotteries, one hundred and sixty-nine dollars and fifty cents.

§ 44. To expenses of committee to investigate the Louisville Gas Company, and paid by them for hotel expenses ; to Robert Tyler, Sergeant-at-Arms, Senators Bradley, Poyntz, Breckinridge, Kemp and Representatives Cox, Mason, Thorne, W. M. Smith and W. H. Able, five dollars.

§ 45. To W. S. Bailey expenses on lottery committee, fifteen dollars.

§ 46. To G. W. Castle, Sergeant-at-Arms, hotel bills and other expenses for special lottery committee, sixty-one dollars and eighty cents.

§ 47. To Rufus Meredith, witness before lottery committee, nine dollars.

§ 48. P. H. Newman, copying record for lottery committee, one hundred dollars.

§ 49. To Robert Hanmer, making fires and attending to Railroad Committee during session, fifteen dollars.

§ 50. To Moses Butcher, waiting on committee in Agricultural office, fifteen dollars.

§ 51. To Buell Taylor and Howard Miller, telegraph messengers, fifteen dollars each.

§ 52. This act shall take effect from its passage.

Ordered, That said bill be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with.

Mr. Reynolds proposed the following amendment to said bill, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That the following sums of money are hereby appropriated to the following named persons, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor of Public Accounts.

§ 2. To the members of the Judiciary Committee for attendance in the Jackson case (eight members at five dollars each for five days), amounting to twenty-five dollars for each member, the same to be paid to Capt. Robert Tyler, and by him distributed to the members of the committee.

§ 3. To the members of the Judiciary Committee for attendance in the Lilly case (nine members at five dollars per day each for three days), amounting to fifteen dollars for each member, the same to be paid to Captain Robert Tyler, and by him distributed to the members of said committee.

§ 4. To F. B. Brown, William McChord, Claude Thomas, Henry Mason, R. C. Warren, John W. Langley and W. W. Stephenson, for extra services as a special committee, acting under a resolution of the House, to investigate Mason-Foard Company, and whether under its contract with the State it had violated its obligation with respect to feeding, clothing and working the convicts of the State for nineteen days each at five dollars per day, engaged in hearing proof and considering the questions upon the proof and making report to the House of Representatives.

§ 5. To Senators Bradley, Poyntz, Breckinridge, Kemp and Representatives Cox, Mason, W. P. Thorne, W. M. Smith and W. H. Able for extra services as a special committee to investigate Louisville Gas Company, five dollars each.

§ 6. To John C. Herndon for use of assessors' blanks for 1890-91, three hundred dollars.

Mr. Wright proposed to amend said bill as follows, viz :

Insert for pay of the page of the Governor \$4 per day instead of \$3.

Mr. Lindsay proposed the following amendments to said bill, viz :

Amend section 50 by striking out \$50 and inserting \$150.

Amend by striking out \$2 per day for Robert Allen, stoker, and insert \$3 per day.

Mr. Hendrick proposed the following amendments to said bill, viz :

1. Amend by adding to section 4 the following : To Charles G. Payne for extra work, \$100.

2. To Jim Coleman as keeper of the back capitol \$1.50 per day in addition to the amount now paid him by special resolution, making his total pay \$4 per day.

Mr. Hays proposed to amend said bill as follows, viz :

Strike out of section 50 the words "fifty dollars," and insert "one hundred dollars."

Mr. Mulligan proposed the following amendment to said bill, viz :

Amend by adding : To Buell Taylor and Howard Miller, telegraph messengers, \$15 each.

Mr. Peterman proposed to amend the amendment proposed by Mr. Reynolds to said bill as follows, viz :

Amend by striking out all provisions for paying Senators and Representatives for extra services on investigating committees.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Geobel, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	John McCann,
R. J. Breckinridge,	John K. Hendrick,	John P. Newman.

B. F. Cockrell,	William Lindsay,	J. J. Paul,
Reuben Conner,	J. H. Lunsford,	A. L. Peterman,
Sam E. English,	J. W. Martin,	J. M. Pieratt,
T. L. Glenn,	D. L. May,	J. H. Shearer,
William Goebel,	Jas. H. Mulligan,	A. H. Stewart—21.

Those who voted in the negative, were—

G. W. Gates,	Chas. Patteson,	Phil Roberts,
R. G. Hays,	Chas. B. Poyntz,	D. W. Wright—8.
J. W. McCain,	B. F. Reynolds,	

Mr. Newman moved to reconsider the vote by which the Senate had adopted said amendment.

Mr. May moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Petterman and May, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	J. P. Huff,	J. M. Pieratt,
Reuben Conner,	William Lindsay,	B. F. Reynolds,
Sam E. English,	J. H. Lunsford,	Phil Roberts,
T. L. Glenn,	D. L. May,	J. H. Shearer,
William Goebel,	J. W. McCain,	A. H. Stewart—20.
J. B. Hannah,	John McCann,	

Those who voted in the negative, were—

R. G. Hays,	Chas. Patteson,	Chas. B. Poyntz—4.
John P. Newman,		

Mr. Wright proposed the following amendment to the amendment proposed by Mr. Reynolds to said bill, viz :

Acceptance of the allowance herein by Herndon, shall forever bar any other claim for future use of form.

Mr. May moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Wright to the amendment proposed by Mr. Reynolds to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goeble and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

B. F. Cockrell,	J. H. Lunsford,	A. L. Peterman,
T. L. Glenn,	J. W. Martin,	J. M. Pieratt,
R. G. Hays,	D. L. May,	J. H. Shearer,
J. B. Hannah,	James H. Mulligan,	D. H. Smith,
John K. Hendrick,	J. W. McCain,	A. H. Stewart,
J. P. Huff,	J. J. Paul,	D. W. Wright—19.
William Lindsay,		

Those who voted in the negative, were—

W. F. Berry,	John McCann,	Chas. B. Poyntz,
R. J. Breckinridge,	John P. Newman,	B. F. Reynolds—7.
Wm. Goebel,		

The question was then taken on the adoption of the amendment, as amended, proposed by Mr. Reynolds to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Poyntz, were as follows, viz:

Those who voted in the affirmative, were—

T. L. Glenn,	D. L. May,	Chas. Patteson,
R. G. Hays,	J. W. McCain,	J. M. Pieratt,
William Lindsay,	John P. Newman,	Phil Roberts—9.

Those who voted in the negative, were—

W. F. Berry,	J. P. Huff,	Charles B. Poyntz,
R. J. Breckinridge,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	J. H. Shearer,
Reuben Conner,	John McCann,	D. H. Smith,
William Goebel,	J. J. Paul,	A. H. Stewart,
J. B. Hannah,	A. L. Peterman,	D. W. Wright—19.
John K. Hendrick,		

The question was then taken on the adoption of the amendment proposed by Mr. Wright to said bill, and it was decided in the affirmative.

The question was taken on the adoption of the first amendment proposed by Mr. Lindsay to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	D. L. May,	J. J. Paul,
G. W. Gates,	James H. Mulligan,	A. L. Peterman,
T. L. Glenn,	John McCann,	J. M. Pieratt,
John K. Hendrick,	John P. Newman,	C. B. Poyntz—14.
William Lindsay,	Chas. Patteson,	

Those who voted in the negative, were—

W. F. Berry.	R. G. Hays,	B. F. Reynolds,
Ben F. Bradley,	J. B. Hannah,	Phil Roberts,
B. F. Cockrell,	J. H. Lunsford,	J. H. Shearer,
Reuben Conner,	J. W. Martin,	D. H. Smith,
Sam E. English,	J. W. McCain,	D. W. Wright—16.
William Goebel,		

The question was then taken on the adoption of the amendment proposed by Mr. Hays to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Smith and Reynolds, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	John K. Hendrick,	John P. Newman,
B. F. Cockrell,	William Lindsay,	J. J. Paul,
G. W. Gates,	D. L. May,	A. L. Peterman,
T. L. Glenn,	James H. Mulligan,	J. M. Pieratt,
R. G. Hays,	John McCann,	Chas. B. Poyntz—16.
J. B. Hannah,		

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	J. H. Shearer,
Ben F. Bradley,	J. W. Martin,	A. H. Stewart,
Reuben Conner,	B. F. Reynolds,	D. W. Wright—11.
Sam E. English,	Phil Roberts,	

The question was then taken on the adoption of the second amendment proposed by Mr. Lindsay to said bill, and it was decided in the affirmative.

Mr. Smith moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

Mr. Peterman moved that when the Senate adjourns, that it be to meet at 8 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Poyntz and Newman, were as follows, viz :

Those who voted in the affirmative, were—

B. F. Cockrell,	William Lindsay,	Chas. Patteson,
Reuben Conner,	J. H. Lunsford,	A. L. Peterman,
T. L. Glenn,	D. L. May,	J. M. Pieratt,
John K. Hendrick,	J. W. McCain,	D. W. Wright,—12.

Those who voted in the negative, were—

R. J. Breckinridge,	John McCann,	Phil Roberts,
William Goebel,	John P. Newman,	J. H. Shearer,
R. G. Hays,	J. J. Paul,	D. H. Smith,
J. W. Martin,	Chas. B. Poyntz,	A. H. Stewart—14.
Jas. H. Mulligan,	B. F. Reynolds,	

Mr. Peterman moved that when the Senate adjourns, that it be to meet at 8:30 o'clock P. M.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

B. F. Cockrell,	William Lindsay,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
R. G. Hays,	Chas. Patteson,	D. W. Wright—13.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	D. L. May,	Chas. B. Poyntz,
Reuben Conner,	Jas. H. Mulligan,	B. F. Reynolds,
William Goebel,	John McCann,	Phil Roberts,
J. B. Hannah,	John P. Newman,	J. H. Shearer,
J. W. Martin,	J. J. Paul,	D. H. Smith—15.

Mr. Goebel moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goebel and Poyntz, were as follows, viz :

Those who voted in the affirmative, were—

Reuben Conner,	J. P. Huff,	Chas. B. Poyntz,
Sam E. English,	J. W. Martin,	B. F. Reynolds,
William Goebel,	J. J. Paul,	J. H. Shearer,
J. B. Hannah,	A. L. Peterman,	D. H. Smith—13.
John K. Hendrick,		

Those who voted in the negative, were—

W. F. Berry,	William Lindsay,	John P. Newman,
R. J. Breckinridge,	J. H. Lunsford,	Chas. Patteson,
B. F. Cockrell,	D. L. May,	J. M. Pieratt,
F. W. Darby,	Jas. H. Mulligan,	Phil Roberts,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
R. G. Hays,	John McCann,	D. W. Wright—18.

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative, by the casting vote of the Lieutenant Governor and Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Goebel and Poyntz, were as follows :

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	John McCann,
R. J. Breckinridge,	R. G. Hays,	John P. Newman,
B. F. Cockrell,	John K. Hendrick,	Chas. Patteson,
Reuben Conner,	J. P. Huff,	J. M. Pieratt—13.
Sam E. English,		

Those who voted in the negative, were—

William Goebel,	J. J. Paul,	Phil Roberts,
William Lindsay,	A. L. Peterman,	J. H. Shearer,
J. H. Lunsford,	Chas. B. Poyntz,	D. H. Smith,
D. L. May,	B. F. Reynolds,	D. W. Wright—13.
Jas. H. Mulligan,		

Mr. Lindsay proposed the following resolution, viz :

Resolved, That this Senate do now adjourn to meet to-night,

at 8:15 o'clock, for the purpose of considering the appropriation bill. Nothing else shall be considered.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Poyntz and Goebel, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	J. B. Hannah,	John McCann,
B. F. Cockrell,	John K. Hendrick,	Chas. Patteson,
Reuben Conner,	William Lindsay,	A. L. Peterman,
Sam E. English,	J. H. Lunsford,	J. M. Pieratt,
G. W. Gates,	J. W. Martin,	J. H. Shearer,
T. L. Glenn,	D. L. May,	D. W. Wright—19.
R. G. Hays,		

Those who voted in the negative, were—

W. F. Berry,	Jas. H. Mulligan,	B. F. Reynolds,
F. W. Darby,	J. J. Paul,	D. H. Smith—8.
William Goebel,	Chas. B. Poyntz,	

The Senate then took a recess until 8:15 o'clock P. M.

NIGHT SESSION.

At 8:15 o'clock P. M., the Senate met pursuant to adjournment.

The question pending being upon the adoption of the first amendment heretofore proposed by Mr. Hendrick to a bill, which originated in the Senate, entitled.

An act appropriating money.

Mr. McCain moved the previous question on said bill and pending amendments.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the first amendment proposed by Mr. Hendrick to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	D. L. May,	J. M. Pieratt,
Sam E. English,	Jas. H. Mulligan,	Chas. B. Poyntz,
John K. Hendrick,	John McCann,	D. H. Smith—11.
William Lindsay,	J. J. Paul,	

Those who voted in the negative, were—

W. F. Berry,	J. H. Lunsford,	B. F. Reynolds,
B. F. Cockrell,	J. W. Martin,	Phil Roberts,
Reuben Conner,	J. W. McCain,	J. H. Shearer,
T. L. Glenn,	John P. Newman,	J. S. Wortham,
R. G. Hays,	Chas. Patteson,	D. W. Wright—17.
J. B. Hannah,	A. L. Peterman,	

The question was then taken on the adoption of the second amendment proposed by Mr. Hendrick to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Smith and Peterman, were as follows, viz :

Those who voted in the affirmative, were—

R. J. Breckinridge,	D. L. May,	A. L. Peterman,
William Goebel,	Jas. H. Mulligan,	J. M. Pieratt,
R. G. Hays,	John McCann,	Chas. B. Poyntz,
John K. Hendrick,	Chas. Patteson,	J. H. Shearer,
William Lindsay,	J. J. Paul,	D. W. Wright—15.

Those who voted in the negative, were—

W. F. Berry,	J. B. Hannah,	B. F. Reynolds,
B. F. Cockrell,	J. H. Lunsford,	Phil Roberts,
Reuben Conner,	J. W. Martin,	D. H. Smith,
F. W. Darby,	J. W. McCain,	A. H. Stewart,
Sam E. English,	John P. Newman,	J. S. Wortham—16.
T. L. Glenn,		

The question was then taken on the adoption of the amendment proposed by Mr. Mulligan to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Reynolds and Wortham, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
F. W. Darby,	J. H. Lunsford,	J. M. Pieratt,

Sam E. English,	J. W. Martin,	Phil Roberts,
G. W. Gates,	D. L. May,	J. H. Shearer,
T. L. Glenn,	Jas. H. Mulligan,	D. H. Smith,
William Goebel,	J. W. McCain,	A. H. Stewart,
R. G. Hays,	John McCann,	D. W. Wright—26.
J. B. Hannah,	John P. Newman,	

Those who voted in the negative, were—

B. F. Cockrell,	Chas. Patteson,	J. S. Wortham,—5.
Reuben Conner,	B. F. Reynolds,	

Mr. Lindsay moved to reconsider the vote by which the Senate had adopted the second amendment proposed by him to said bill.

And the question being taken thereon, it was decided in the affirmative.

Mr. Lindsay proposed to amend said amendment by striking out the word "three," and insert in lieu thereof the word "four."

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Roberts and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	T. L. Glenn,	James H. Mulligan,
R. J. Breckinridge,	William Goebel,	John McCann,
Reuben Conner,	R. G. Hays,	J. M. Pieratt,
F. W. Darby,	J. K. Hendrick,	A. H. Stewart,
Sam E. English,	William Lindsay,	D. W. Wright—17.
G. W. Gates,	D. L. May,	

Those who voted in the negative, were—

B. F. Cockrell,	John P. Newman,	Phil Roberts,
J. B. Hannah,	Chas. Patteson,	J. H. Shearer,
J. H. Lunsford,	A. L. Peterman,	D. H. Smith,
J. W. Martin,	B. F. Reynolds,	J. S. Wortham—13.
J. W. McCain,		

The question was then taken on the adoption of the said amendment of Mr. Lindsay, as amended, and it was decided in the affirmative.

Ordered, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

Mr. Newman moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative for a want of a constitutional majority.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann,
B. F. Cockrell,	J. H. Lunsford,	Chas. Patteson,
F. W. Darby,	William Lindsay,	J. M. Pieratt,
Sam E. English,	James H. Mulligan,	A. H. Stewart,
G. W. Gates,	J. W. McCain,	D. W. Wright—16.
T. L. Glenn,		

Those who voted in the negative, were—

William Goebel,	D. L. May,	Phil Roberts,
J. B. Hannah,	John P. Newman,	J. H. Shearer,
John K. Hendrick,	A. L. Peterman,	D. H. Smith,
J. W. Martin,	B. F. Reynolds,	J. S. Wortham—12.

Mr. Newman moved a call of the Senate.

And the question being taken "Shall a call of the Senate be had?" it was decided in the affirmative.

The roll of the Senate was then called, and the following Senators responded to their names, viz:

W. F. Berry,	J. B. Hannah,	Chas. Patteson,
R. J. Breckinridge,	John K. Hendrick,	A. L. Peterman,
B. F. Cockrell,	William Lindsay,	J. M. Pieratt,
Rueben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	J. W. Martin,	Phil Roberts,
Sam E. English,	D. L. May,	J. H. Shearer,
G. W. Gates,	Jas. H. Mulligan,	D. H. Smith,
T. L. Glenn,	J. W. McCain,	A. H. Stewart,
Wm. Goebel,	John McCann,	J. S. Wortham,
R. G. Hays,	John P. Newman,	D. W. Wright—30.

Messrs. Anderson, Bradley and Kemp were absent on leave.

The Speaker of the Senate ordered the Sergeant-at-Arms to close the doors and bring in the absent Senators.

Mr. Peterman moved that the Senate excuse the absent Senators for their absence.

And the question being taken thereon, it was decided in the negative.

The Sergeant-at-Arms brought Mr. Poyntz before the bar of the Senate.

Mr. Newman moved that the Senate excuse Mr. Poyntz for his absence.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to dispense with further proceedings under the call.

And the question being taken thereon, it was decided in the affirmative.

Mr. Newman moved to reconsider the vote by which the Senate had rejected said bill.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Peterman and Lunsford, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
Reuben Conner,	D. L. May,	B. F. Reynolds,
F. W. Darby,	Jas. H. Mulligan,	D. H. Smith,
Sam E. English,	J. W. McCain,	A. H. Stewart,
G. W. Gates,	John McCann,	D. W. Wright—25.
T. L. Glenn,		

In the negative—Phil Roberts—1.

Mr. Reynolds moved a division of the question, and that said bill be considered section by section.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The question was then taken on the adoption of the first section of said bill, and it was decided in the affirmative.

The question was then taken on the adoption of the second section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	J. B. Hannah,	Chas. Patteson,
Ben. F. Bradley.	John K. Hendrick,	A. L. Peterman,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	Chas. B. Poyntz,
Reuben Conner,	J. H. Lunsford,	B. F. Reynolds,
F. W. Darby,	D. L. May,	Phil Roberts,
Sam E. English,	James H. Mulligan,	D. H. Smith,
G. W. Gates,	J. W. McCain,	A. H. Stewart,
T. L. Glenn,	John McCann,	J. S. Wortham—29.
R. G. Hays,	John P. Newman,	

In the negative—none.

Section three and four of said bill were then respectively adopted.

The question was then taken on the adoption of the fifth section of said bill, and it was decided in the affirmative.

The yeas and nays being demanded thereon by a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	Chas. Patteson,
Ben F. Bradley,	John R. Kemp,	J. J. Paul,
R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
B. F. Cockrell,	J. H. Lunsford,	J. M. Pieratt,
Reuben Conner,	D. L. May,	Charles B. Poyntz,
F. W. Darby,	J. H. Mulligan,	B. F. Reynolds,
Sam E. English,	J. W. McCain,	J. H. Shearer,
G. W. Gates,	John McCann,	D. H. Smith,
T. L. Glenn,	John P. Newman,	A. H. Stewart—28.
R. G. Hays,		

Those who voted in the negative, were—

Phil Roberts,	J. S. Wortham,	D. W. Wright—3.
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The question was then taken on the adoption of the sixth section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	J. J. Paul,
B. F. Cockrell,	William Lindsay,	A. L. Peterman.
Reuben Conner,	D. L. May,	J. M. Pieratt,
F. W. Darby,	Jas. H. Mulligan,	Chas. B. Poyntz,
Sam E. English,	J. W. McCain,	D. H. Smith,
G. W. Gates,	John McCann,	D. W. Wright—23.
T. L. Glenn,	John P. Newman,	

Those who voted in the negative, were—

W. F. Berry,	Phil Roberts,	J. S. Wortham—4.
R. G. Hays,		

The question was then taken on the adoption of the seventh section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	John K. Hendrick,	J. J. Paul,
Ben. F. Bradley,	William Lindsay,	A. L. Peterman.
B. F. Cockrell,	D. L. May,	J. M. Pieratt,
F. W. Darby,	James H. Mulligan,	C. B. Poyntz,
Sam E. English,	J. W. McCain,	B. F. Reynolds,
G. W. Gates,	John McCann,	D. H. Smith,
T. L. Glenn,	John P. Newman,	A. H. Stewart,
William Goebel,	Chas. Patteson,	D. W. Wright—25.
J. B. Hannah,		

Those who voted in the negative, were—

Reuben Conner,	J. W. Martin,	J. H. Shearer,
John R. Kemp,	Phil. Roberts,	J. S. Wortham—6.

Section eight of said bill was then adopted.

The question was then taken on the adoption of the ninth section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John McCann,
Ben F. Bradley,	J. B. Hannah,	John P. Newman,
R. J. Breckinridge,	John K. Hendrick,	Chas. Patteson,
B. F. Cockrell,	John R. Kemp,	J. M. Pieratt,
F. W. Darby,	William Lindsay,	Chas. B. Poyntz,
Sam E. English,	J. H. Lunsford,	B. F. Reynolds,
G. W. Gates,	D. L. May,	D. H. Smith,
T. L. Glenn,	Jas. H. Mulligan,	D. W. Wright—26.
William Goebel,	J. W. McCain,	

Those who voted in the negative, were—

Reuben Conner,	Phil Roberts,	A. H. Stewart,
J. W. Martin,	J. H. Shearer,	J. S. Wortham—7.
A. L. Peterman,		

Sections ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen and nineteen of said bill were respectively adopted.

The question was then taken on the adoption of the twentieth section of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	James K. Hendrick,	John P. Newman,
Ben F. Bradley,	John R. Kemp,	A. L. Peterman,
R. J. Breckinridge,	William Lindsay,	J. M. Pieratt,
B. F. Cockrell,	J. H. Lunsford,	Chas. B. Poyntz,
F. W. Darby,	D. L. May,	B. F. Reynolds,
Sam E. English,	Jas. H. Mulligan,	D. H. Smith,
G. W. Gates,	J. W. McCain,	D. W. Wright—22.
T. L. Glenn,		

In the negative—J. S. Wortham—1.

Sections twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, forty-nine, fifty, fifty-one, fifty-two and fifty-three were respectively adopted.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance of a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

W. F. Berry,	R. G. Hays,	John P. Newman,
Ben F. Bradley,	John K. Hendrick,	Chas. Patteson,
R. J. Breckinridge,	John R. Kemp,	J. M. Pieratt,
B. F. Cockrell,	William Lindsay,	C. B. Poyntz,
F. W. Darby,	D. L. May,	B. F. Reynolds,
Sam E. English,	James H. Mulligan,	D. H. Smith,
G. W. Gates,	J. W. McCain,	D. W. Wright—22.
T. L. Glenn,		

Those who voted in the negative, were—

Reuben Conner,	Phil. Roberts,	A. H. Stewart,
J. W. Martin,	J. H. Shearer,	J. S. Wortham—7.
A. L. Peterman,		

Resolved, That the title of said bill be as aforesaid.

And then the Senate adjourned.

TUESDAY, MAY 27, 1890.

The reading of the Journal of yesterday was dispensed with.

A message was received from the House of Representatives, announcing that they had received official information that the Governor had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Louisville Belt Railway and Transfer Company.

An act to incorporate the Rosedale Agricultural Association of Campbell county.

An act to readjust and fix the time of holding the court of common pleas in the first judicial district.

An act to amend the charter of the city of Covington.

An act to incorporate the Harrison County Bank.

An act to amend the charter of the city of Ludlow, in Kenton county, licenses streets, and so forth.

An act to incorporate the C. T. Rice Cemetery Company, near Union, in Boone county.

An act to incorporate the Cumberland River and Jellico Railroad Company.

An act incorporating the Harrodsburg Savings and Deposit Bank and Trust Company.

An act to suppress lottery advertisements and publications.

An act to authorize the people of Lagrange and Westport voting precinct, in Oldham county, to vote a tax for the purpose of building a turnpike road in said county.

An act to incorporate the Runyon School-house and Four Mile Road Turnpike Company.

An act to incorporate the Louisville and Hodgenville Railway Company.

An act increasing the jurisdiction of the mayor of the city of Augusta to two hundred dollars in all cases of which he now has jurisdiction.

An act repealing an act, entitled "An act to establish a system of public graded schools in school district No. 2, in Bracken county," approved April 12, 1888.

An act to amend an act, entitled "An act to extend the court of common pleas of the first judicial district to include the county of Graves for the trial of equity causes," approved May —, 1884, so as to give jurisdiction of common law actions and special proceedings.

An act in relation to landlords and tenants in the city of Covington.

An act for the benefit of the Midland Land Company, and to reincorporate the same under the name of the Key's Creek Mining and Transportation Company.

An act to punish petit larceny in Union county.

An act to amend an act, entitled "An act to establish the county of Lee," approved January 29, 1870.

An act for the benefit of Mistress Bettie Edmonds, of Marion county.

An act to prohibit the charging or collection of tolls for the passage along and over turnpike roads in Kenton county of certain pleasure vehicles not propelled by animal power.

An act to amend an act, entitled "An act to incorporate the Leitchfield, Big Sandy and Northern Railroad," approved April —, 1890.

An act to incorporate the Louisville Terminal Railway Company.

An act to incorporate the McFerran Memorial Baptist Church at Louisville, Kentucky.

An act to incorporate the Capital Railway Company.

That they had passed a bill, which originated in the Senate, of the following title, viz :

An act appropriating money.

That they had adopted a resolution and passed a bill of the following titles, viz :

Resolution extending session until 1 o'clock to-day.

An act to re-enact and amend an act incorporating the town of Franklinton, in Henry county.

Which bill was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with.

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

By unanimous consent the rules were suspended, and the Senate took up for consideration bills, which originated in the House of Representatives, of the following titles, viz :

An act permitting the United States Government to acquire title to real estate at Bowling Green, Warren county, Kentucky.

An act to incorporate the Farmers' Bank of Williamsburg, Kentucky.

An act to incorporate the Wellesley School, of Louisville.

An act to amend chapter 92 of the General Statutes.

An act for the benefit of Company A, Third Regiment, K. S. G.

An act to incorporate the Eclipse Electric Light, Heating and Motive Power Company.

An act to amend section 3, article 2, chapter 106 of the General Statutes of Kentucky, so far as it applies to Bracken county.

An act for the benefit of B. F. Remington, of Paris.

Ordered, That said bills be severally read a third time.

The constitutional provision as to the third reading of said bills being dispensed with.

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay read and laid on the table the following joint resolution :

WHEREAS, James Coleman, janitor and keeper of the back capitol, received no allowance in the general appropriation bill, and receives only the \$2.50 allowed him by special resolution; and whereas, Said James Coleman and his son have been constantly present at said back capitol, not only during the day but also until late at night, and have by their faithful and efficient service kept said back capitol in the best possible condition; and whereas, The appropriation bill makes allowances to other employes in excess of the said \$2.50, whose service and labors were not so great as the said Coleman; and whereas, By reason of his son's constant attendance at said back capitol the said \$2.50 is the only compensation for two persons; now, therefore, in order to more nearly equalize the pay of the said James Coleman with the other employes, and to mak his pay commensurate with the really good service rendered by the said Coleman, be it

Resolved by the General Assembly of the Commonwealth of Kentucky, 1. That the said James Coleman be allowed the sum of \$1.50 per day in addition to the \$2.50 allowed him by special resolution, making his pay \$4 per day, the same to be paid on the warrant of the Auditor, drawn on the Treasurer, out of any money in the Treasury not otherwise appropriated.

2. This resolution to take effect from its adoption.

Mr. Lindsay moved that the rules be suspended, and that said resolution be taken up for consideration.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon, in pursuance of a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative were—

R. J. Breckinridge,	William Lindsay,	A. L. Peterman,
Reuben Conner,	J. H. Lunsford,	J. M. Pieratt,
W. W. Dickerson,	J. W. Martin,	Chas. B. Poyntz,
G. W. Gates,	D. L. May,	Phil. Roberts,
T. L. Glenn,	Jas. H. Mulligan,	J. H. Shearer,
Wm. Goebel,	J. W. McCann,	D. H. Smith,
R. G. Hays,	John P. Newman,	D. W. Wright—23.
J. B. Hannah,	J. J. Paul,	

Those who voted is the negative were—

W. F. Berry,	Ben F. Reynolds,	J. S. Wortham—4.
B. F. Cockrell,		

Resolved, That the title of said resolution be as aforesaid.

Bills of the following titles were reported from the several committees which were directed to prepare and bring in the same, viz:

By Mr. Mulligan, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to prescribe the duties and privileges of certain officers in relation to the court-house, adjacent grounds and the Breckinridge statue in the city of Lexington,” approved May 2, 1888.

By Mr. Lindsay, from the same committee—

An act to repeal chapter 598, of Session Acts, 1889-90, approved April 7, 1890, entitled “An act to incorporate the city of Grand Rivers, of Livingston county,” and enact in lieu thereof the following: An act to incorporate the city of Grand Rivers, Livingston county.

Which bills were severally read the first time, and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

Ordered, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

Resolved, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Stewart, the rules were suspended, and the Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to authorize the counties of Johnson, Floyd, Pike and Martin, and municipalities and civil districts therein, to exempt from taxation the property of the Ohio and Big Sandy Railroad Company for a certain period.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Peterman moved to reconsider the vote by which the Senate had passed said bill.

Mr. Peterman moved to lay that motion on the table.

And the question being taken thereon, it was decided in the affirmative.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution providing for payment of expenses of special committee to visit Louisville to ascertain and report amount of damage done by tornado.

And the question being taken on concurring in the adoption of said resolution, it was decided in the affirmative.

Mr. Wright proposed the following resolution, viz :

WHEREAS, At the close of the present session of the Senate the term of service of R. G. Hays will close, after a continued service of four terms in the Senate ; therefore

Resolved by the Senate, That we recognize in Senator Hays a Senator who has discharged humble and faithful service to the Commonwealth and worthy of continued honor by the people.

Which was twice read and adopted.

On motion of Mr. Poyntz the rules were suspended, and the Senate took up for consideration a bill, which originated in the House of Representatives, entitled

An act to provide for recording contracts for the sale of land.

Said bill reads as follows, viz :

Be it enacted by the General Assembly of the Commonwealth of Kentucky, § 1. That any contract for the sale of land or any interest therein, when acknowledged or proven as deeds are

now required to be acknowledged or proven, may be recorded in the county in which such lands are situate, in the same offices and books in which deeds are recorded, and the record of all such contracts recorded after the passage of this act shall, from the time of lodging the same for record be notice of such contracts to all persons.

§ 2. The clerk shall receive the sum of fifty cents for recording each contract, to be paid when the same is lodged for record.

§ 3. This act shall take effect immediately upon its passage.

Mr. Darby moved to lay said bill on the table.

And the question being taken on said motion, and a quorum of the Senate not voting thereon, said bill fell into the orders of the day.

The yeas and nays being required thereon by Messrs. Poyntz and Smith, were as follows, viz:

In the affirmative—D. W. Wright—1.

Those who voted in the negative, were—

R. J. Breckinridge,	J. W. Martin,	J. J. Paul,
Reuben Conner,	D. L. May,	A. L. Peterman,
William Goebel,	Jas. H. Mulligan,	J. M. Pieratt,
R. G. Hays,	John McCann,	Chas. B. Poyntz,
William Lindsay,	John P. Newman,	B. F. Reynolds,
J. H. Lunsford,	Chas. Patteson,	J. H. Shearer—18.

A message in writing was received from the Governor by Hon. Ed Porter Thompson, Private Secretary.

Said message was taken up and read as follows, viz:

COMMONWEALTH OF KENTUCKY,
EXECUTIVE DEPARTMENT,
FRANKFORT, May 27, 1890. }

Gentlemen of the Senate:

I hereby nominate the following named persons for appointment as Notaries Public, to exercise their official functions for the term of four years, within the limits hereinafter designated, and respectfully ask your advice and consent thereto:

John McCann, Jefferson county.
Robert T. Watson, Franklin county.
J. M. Wood, Madison county.
J. A. Priest, Henderson county.
W. A. Berry, Union county.

Respectfully,
S. B. BUCKNER.

Resolved, That the Senate advise and consent to said nominations.

A message was received from the House of Representatives announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution for the benefit of James Coleman, keeper of the "Back Capitol."

A message was received from the Governor by Hon. Ed Porter Thompson, Private Secretary, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Covington and Lexington Turnpike Road Company.

An act to increase the pay of guards at Kentucky Penitentiary.

An act to amend an act, entitled "An act to change the boundary lines between Washington, Anderson and Mercer counties," approved April 15, 1890.

An act to amend an act, entitled "An act to establish a city government for the town of Carlisle," approved May 5, 1888.

An act for the benefit of Eckstein Norton, trustee of Evermont Hope Norton.

An act to authorize the court of claims of Shelby county to levy an ad valorem tax.

An act to incorporate the Kentucky Cannel Coal Railroad Company.

An act for the benefit of E. C. Flanary and J. P. Pierce, ex-sheriffs of Crittenden county, and other sheriffs and ex-sheriffs.

An act to incorporate the Farmers and Traders' Bank of Sturgis.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to protect the citizens of this Commonwealth from empiricism,'" approved April 25, 1888.

An act for the benefit of tavern keepers.

An act for the continuation of the Geological Survey.

An act to amend the city charter of Paducah, and authorizing said city to subscribe stock to the Paducah and Illinois Ferry Company.

An act to amend the charter of the city of Louisville.

An act to incorporate the Bank of Commerce, of Mt. Sterling.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to prevent base-ball playing on Sunday in Kenton county,' " approved March 6, 1882.

An act to incorporate the Carlisle, Lower Blue Lick Springs and Mt. Olivet Railroad Company.

An act to amend the charter of the Kentucky and Cumberland Railroad Company.

An act for the benefit of Will. H. Lilly and wife, of Estill county, Kentucky.

An act to provide for the safe keeping of the school fund of Hardin county.

An act to amend an act, entitled "An act to amend the charter of Bethel College, of Russellville," which became a law without the signature of the Governor April 18, 1890.

An act to authorize the board of council of the town of Danville to remove any of its officers.

An act relieving S. C. Long, and J. L. Shallcross from further service as special commissioners for lunatic asylums of this Commonwealth.

An act to submit the question to the people of Henry county, by precincts, as to whether they will tax themselves to repair their turnpikes and county roads in their respective precincts.

An act to incorporate the Inter-State Guarantee and Trust Company.

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company.

An act to amend an act, entitled "An act to amend an act, 'An act to provide for the assessment and collection of taxes upon distilled spirits,' " approved April 21, 1882, said amendatory act approved May 12, 1884.

An act to amend the charter of the Cincinnati, Alabama and Atlantic Railroad Company.

Leave was asked to bring in the following bill, viz :

On motion of Mr. Wright—

An act to make it unlawful to sell spirituous, vinous or malt liquors in the county of Franklin after June 1, 1890.

Ordered, That the Committee on Religion and Morals prepare and bring in said bill.

Mr. Lindsay, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Bellow's Mill Turnpike Road Company, in Mercer county," approved May 5, 1880,

Reported the same without amendment.

Ordered, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

Resolved, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Glenn, from the Committee on Enrollments, reported that the Committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to charter the Owingsville Normal and Business College ;

An act to incorporate the Pioneer Tornado Insurance Company ;

An act to incorporate the Paducah, Nashville and Charleston Railroad Company ;

An act to amend the charter of the Scoville and Lawrenceburg Turnpike Road Company, in Anderson and Washington counties ;

An act for the benefit of the sureties of J. H. Swift, late sheriff of Calloway county ;

An act to amend an act, entitled "An act to authorize a certain defined portion of Jessamine county to subscribe to the capital stock of the East Hickman and Jessamine County Turnpike Company, and to provide for the payment of the same ;

An act amending section 7, article 5, chapter 92, of the General Statutes, title "Revenue and Taxation."

An act to incorporate the Eminence, New Castle and Campbellsburg Dummy Railroad Company, in Henry county ;

An act to amend the charter of the Falls City Running and Trotting Club ;

An act to authorize the county court of Rockcastle county to subscribe stock to turnpike roads in said county ;

An act to prohibit the sale of spirituous, vinous and malt

liquors, or fermented or hard cider, in the Henderson district of Washington county;

An act to incorporate the Jellico, Beattyville and Ashland Railroad Company;

An act to authorize Whitley County Court to build bridges in Whitley county, and raise funds therefor;

An act to incorporate the Eclipse Electric Light, Heating and Motive Power Company;

An act to authorize the counties of Johnson, Floyd, Pike and Martin, and municipalities and civil districts therein, to exempt from taxation the property of the Ohio and Big Sandy Railroad Company for a certain period.

An act for the benefit of Co. A, Third Regiment, K. S. G.

An act to amend section 3, article 2, chapter 106, General Statutes of Kentucky, so far as it applies to Bracken county;

An act to incorporate the Somerset, Mt. Vernon and Lancaster Turnpike Company, in Rockcastle county;

An act for the benefit of A. M. Remington, of Paris;

An act permitting the U. S. Government to acquire title to real estate at Bowling Green, Warren county, Kentucky;

An act to repeal section 8 of an amendment to the charter of the city of Owensboro, approved April 22, 1886;

An act fixing the time and terms of the circuit courts in the seventh judicial district;

An act to incorporate the Crow's Shop and Little Flat Lick Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Aid Association;

Resolution for the benefit of Pat McDonald, B. W. Jenkins and James McAuliffe.

Resolution providing for the payment of expenses of special committee to visit Louisville to ascertain and report amount of damage done by tornado.

And enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Lulbygrad Turnpike Road Company, in Montgomery county;

An act to amend and reduce into one the acts relating to the town of Belle Point, in Franklin county;

An act authorizing the court of claims of Caldwell county to levy a tax to build a new jail ;

An act to incorporate the Cumberland River Coal and Mining Company ;

An act to incorporate the Kentucky River Water-Works Company ;

An act to incorporate the Kentucky Water, Heating, Illuminating Company of Lexington ;

An act to authorize the levy of an additional school tax in Ashland ;

An act for the benefit of S. Parrish, of Richmond ;

An act to fix the liability of insurance companies at the amounts written in their policies ;

An act for the better regulation of public roads and the working of the same in Todd county ;

An act to incorporate the Bank of Grand Rivers ;

An act to repeal an act, entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad Company," approved May 21, 1890 ;

An act to amend an act, entitled "An act to amend the revenue laws of the Commonwealth of Kentucky," approved May 17, 1886 ;

An act to amend an act, entitled "An act to incorporate the Bloomfield and Harrodsburg Railroad Company," approved May 1, 1880 ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to provide for the assessment and collection of taxes upon distilled spirits,' " approved April 21, 1882, said amendatory act approved May 12, 1884 ;

An act to amend the charter of the Cincinnati, Alabama and Atlantic Railroad Company ;

An act to incorporate the Inter-State Guarantee and Trust Company ;

An act to incorporate the Bank of Commerce of Mt. Sterling :

An act to reapportion the State into Eleven Congressional Districts ;

An act for the continuation of the Geological Survey ;

An act for the benefit of tavern keepers ;

An act to amend the charter of the city of Louisville ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to prevent base-ball playing on Sunday in Kenton county,' " approved March 6, 1882 ;

An act to incorporate the Danville, Lancaster and Pound Gap Railroad Company ;

An act to amend the city charter of Paducah, and authorizing said city to subscribe stock to the Paducah and Illinois Ferry Company ;

An act to submit the question to the people of Henry county, by precincts, as to whether they will tax themselves to repair their turnpikes and county roads in their respective precincts ;

An act relieving S. C. Long and J. L. Shallcross from further service as special commissioners for lunatic asylums in this Commonwealth ;

An act to authorize the board of council of the town of Danville to remove any of its officers ;

An act to amend an act to amend the charter of Bethel College of Russellville, which became a law without the signature of the Governor April, 1890 ;

An act incorporating the Lexington and Jellico Railroad ;

An act to provide for the safe keeping of the school fund of Hardin county ;

An act for the benefit of J. H. Richards, of Hancock county ;

An act for the benefit of Joseph Friel, of Hancock county ;

An act for the benefit of Will H. Lilly and wife, of Estill county ;

An act to amend the charter of the Kentucky and Cumberland Railroad Company ;

An act to incorporate the Supreme Council Catholic Knights and Ladies of America ;

An act to incorporate the Carlisle, Lower Blue Lick Springs and Mt. Olivet Railroad Company ;

An act to appropriate money ;

Resolution for the benefit of James Coleman, Janitor of Back Capitol ;

And had found the same correctly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed

his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time Mr. Glenn reported that the committee had performed that duty.

Mr. Mulligan proposed the following resolution, viz :

WHEREAS, The Governor, in his message to the General Assembly under date of May 22, 1890, submits certain important and pertinent questions as therein set forth, which message is as follows :

EXECUTIVE OFFICE,
FRANKFORT, May 22, 1890. }

Gentlemen of the Senate and House of Representatives :

As your session is drawing to a close I may be pardoned for inviting your attention to the consideration of legislative questions of much public importance now pending before one branch or the other of the General Assembly, and on which action is incomplete, and also to other matters on which it is deemed proper to take action before final adjournment.

I am advised that amongst other bills of a public character now under consideration and on which action is desirable, are the following :

Bill in regard to the sinking fund (makes it unnecessary to transfer to that fund from general expenditure fund until there is need for money in the sinking fund).

Bill to restore right of State to vote its stock in turnpike roads.

Bill to prescribe mode of ascertaining value of railroad bridges across the Ohio.

Bill (general) in regard to building and loan associations in Kentucky.

Bill in regard to State militia (to provide for the payment of, when called upon to sustain courts in counties of the State.)

Bills in regard to the penitentiary.

Bill in regard to record books for the counties.

Bill to impose tax on sleeping car companies in the State.

Bill to extend time for final settlement of sheriffs to first Monday in January.

Bill to authorize State to sue for taxes.

Bill to impose privilege tax on organization of corporations.

Bill in regard to idiots. (Divides cost of maintenance between State and county.)

Bill creating office of Bank Examiner.

Bill in regard to public printing. (To reduce number copies acts printed.)

Many of these bills have an important bearing on the revenue of the State. The General Assembly can best judge of those which should command their first attention, but it may be permitted me to suggest that amongst those of prime importance seem—

1. The penitentiary question.

All doubts which may have been raised as to the validity of the existing lease should be removed either by abrogating or confirming the contract, as the wisdom of the General Assembly may determine.

2. The bill to authorize the State to sue for taxes. Large amounts are due the State which can not be recovered under existing laws.

3. The bill for ascertaining the value of bridges across the Ohio river.

It was suggested to a former Legislature that the assessment be placed in the hands of the Railroad Commissioners.

4. The bills in regard to record books, which should be paid for by the counties, and in regard to militia employed in the different counties of the State, will also command consideration at your hands.

5. The bill reducing the number of copies of private and local acts to be printed.

The number of acts passed by the last Legislature was 1,571. The number passed by the present General Assembly which have already become laws amount to 1,702.

In consequence of the large number of voluminous town charters recently enacted it is believed that the acts of the present session can not be compressed into less than four large volumes. When it is considered that all acts of a public character could be included in one small volume, and that under existing laws three thousand copies of all the acts are published, the unnecessary cost to the State for the printing of

three thousand copies or more than nine thousand volumes of acts of no public importance whatever, and of interest only to a few individuals, becomes at once apparent. It is estimated that the cost of each one of these volumes is about five dollars, making an unnecessary cost to the State for the printing of private acts of from \$40,000 to \$45,000.

It is recommended that there be printed three thousand five hundred copies of the general acts to provide for the increased number of officials, and that the number of copies of the private and local acts be reduced to three hundred copies, which would be adequate to supply every county, the public offices and libraries. In this way it is believed that a sufficient amount could be saved from public printing alone to provide for the proposed addition to the lunatic asylums.

It is further recommended that an act be passed requiring that all fines adjudged by any court for violations of the penal laws of the State be paid to the trustees of the jury fund in the several counties. Great inequality exists now in this respect. Many of the towns and cities derive the benefit of a large portion of these fines, while many others pay the fines properly into the State Treasury. The rule should be uniform in order to equalize the burdens of taxation. Many thousand dollars would be saved to the Treasury by the enactment of such a law.

When the sheriffs first pay their collections to the Auditor there is annually a large accumulation of funds in the Treasury lying idle before legal demands are made for its disbursement. If authority were given to the Treasurer, subject to the approval of the Commissioners of the Sinking Fund, to invite competition from different good banks to hold these balances until required, paying interest thereon, it is estimated that a sufficient amount of interest could be thus earned by the State to meet the entire expenses of the Geological Survey.

Your attention is also earnestly invited to the necessity of additional legislation in connection with the disturbed condition of some of the counties of the Commonwealth, and the propriety of strengthening the hands of the judicial and executive officers in the administration of justice. It is understood that you are already considering remedial legislation in this regard

and that your own appreciation of the importance of the questions involved will result in a satisfactory solution of the many of these difficulties.

The importance of legislation having for a result the curtailing of expenses and of bringing into the Treasury all moneys properly belonging to it will be apparent when it is considered that instead of having a surplus in the Treasury on the first of next July of \$171,845.42, as estimated in the Auditor's report of last year, there will be an actual deficit that date, as estimated by the present Auditor, based upon the actual expenditures up to the present time.

Respectfully,

S. B. BUCKNER.

Therefore be it resolved. That it is the sense of the Senate that the present session of the General Assembly shall be extended to the hour of 12 o'clock M. of Tuesday, June 3, 1890, and that during such extended session no business shall be in order or be transacted except alone the measures and things enumerated and stated in the Governor's message as above set forth.

Mr. Smith proposed an amendment to said resolution.

Mr. Darby proposed an amendment to said resolution.

The Speaker ruled said resolution out of order.

Mr. Newman appealed from the decision of the Chair, declaring said resolution out of order, and sent his appeal to the Clerk's desk.

Mr. Glenn moved to lay said appeal on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. McCain and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

W. H. Anderson,	William Goebel,	J. J. Paul,
W. F. Berry,	R. G. Hays,	J. M. Pieratt,
Ben F. Bradley,	J. B. Hannah,	Chas. B. Poyntz,
R. J. Breckinridge,	John R. Kemp,	B. F. Reynolds,
B. F. Cockrell,	William Lindsay,	J. H. Shearer,
Reuben Conner,	J. H. Lunsford,	D. H. Smith,

F. W. Darby,	D. L. May,	A. H. Stewart,
W. W. Dickerson,	Jas. H. Mulligan,	J. S. Wortham,
Sam E. English,	John P. Newman,	D. W. Wright—29.
T. L. Glenn,	Chas. Patteson,	

In the negative—Phil Roberts—1.

Mr. Bradley, from the special committee appointed under a resolution of the Senate, to investigate the method of withdrawal from the Governor, disappearance from the committee, and return to the Governor of House bill No. 1973, entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad, presented the report of said committee, in writing, together with the testimony given before the same.

Mr. Bradley moved that said report, together with the accompanying testimony, be inserted in, and made a part of the Journal of the Senate.

Mr. Newman moved that the Senate do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Newman and Mulligan, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Dickerson,	J. W. McCain,	Chas. B. Poyntz,
G. W. Gates.	John McCann,	Phil Roberts—7.
Jas. H. Mulligan,		

Those who voted in the negative, were—

W. H. Anderson,	T. L. Glenn,	Chas. Patteson,
W. F. Berry,	William Goebel,	A. L. Peterman,
Ben F. Bradley,	J. B. Hannah,	J. H. Shearer,
R. J. Breckinridge,	John R. Kemp,	D. H. Smith,
B. F. Cockrell,	William Lindsay,	A. H. Stewart,
Reuben Conner,	J. H. Lunsford,	J. S. Wortham,
F. W. Darby,	D. L. May,	D. W. Wright—22.
Sam E. English,		

The question was then taken on the adoption of the motion made by Mr. Bradley, that said report and accompanying testi-

mony be inserted in and made a part of the Journal, and it was decided in the affirmative.

Said report and accompanying testimony, taken by said committee, is as follows, viz:

FRANKFORT, KY., May 27, 1890.

To the Hon. JAMES W. BRYAN, Speaker of the Senate:

The committee appointed by you, under a resolution of the Senate, to investigate the method of withdrawal, disappearance from the committee, and its return to the Governor, of House Bill No. 1973, entitled "An act to authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad," would respectfully report:

That they have since their appointment given all of their time, when not in attendance upon the Senate, or engaged in other necessary duties, to a thorough investigation of the matter submitted to them, and now make their report at the earliest practicable moment. The following witnesses were duly summoned to testify before them: A. H. Stewart, John W. Langley, Harvey Myers, George Fick, F. T. D. Wallace, John C. Mayo, Green Keller, M. D. Vanhoose, W. O. Mize, R. S. May, Clarence Egbert and Arthur Ford, constituting all of the parties whom a diligent inquiry suggested as knowing anything of importance about the matter under investigation. All of them appeared and testified before the committee excepting Messrs. Wallace, Vanhoose and Ford, the first two of whom failed to appear, and Mr. Ford not being asked to testify. The committee used every means in their power to secure the attendance of Messrs. Wallace and Vanhoose. They are informed that Mr. Vanhoose left the city soon after being summoned. Mr. Wallace remained in the city, but would not attend and testify.

At the request of the committee, Governor Buckner gave them a paper in reference to the matter, written and signed by Mr. Wallace, which is made part of the evidence.

The testimony of the witnesses was very carefully written out by a member of the committee at the time it was given, read over to the witnesses, including Mr. Myers, and approved by them as substantially correct. Since that time the important witnesses, viz: A. H. Stewart, John W. Langley, Harvey

Myers, George Frick and John C. Mayo have been requested and given every opportunity to add to or explain their testimony as set forth by the committee. All of them have acquiesced in the committee's report of the testimony as now presented, excepting Mr. Myers, who gives the reason why he does not do so in his communication to the committee, copied with the testimony. The response of the committee to his communication, also copied with the testimony, will fully explain this matter. The committee have doubts as to whether they are authorized by the resolution to do more than to take testimony, and report their proceedings in that connection; but even if they had the undisputed authority to recommend the censure or punishment of individuals, the formulation of legislation, or the recommendation of legislative action, they have not had time to do so satisfactorily to themselves. They will state, however, that the testimony shows that the "method of withdrawal and its return to the Governor" of the bill under consideration was unusual and unwarranted, and the method of the disappearance from committee was culpable. The committee will not undertake to apportion the individual culpability of the parties engaged in it, because they doubt their authority to do so, and see no good result that would follow from that course. As the General Assembly has determined to adjourn to-day, the committee think that some legislation should be had to prevent this shameful "method" in the future. It is evident that this General Assembly can do nothing in the matter for want of time. The committee, therefore, ask to be discharged from the further consideration of the matter, in the hope that the next General Assembly will enact such laws as will forever prevent its recurrence.

The committee make the copy of the testimony, the statement of Mr. Wallace, the copy of Mr. Myers' communication to the committee, and response of the committee thereto, all filed herewith, a part of this report.

BEN F. BRADLEY,
JOHN R. KEMP,
W. H. ANDERSON.

The Senate committee appointed to investigate the method of withdrawal, disappearance from the committee, and its return to the Governor of House bill No. 1973, entitled "An act to

authorize the counties of Johnson, Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad," met in session on Friday, May 23, at 3 o'clock P. M., to hear evidence on same.

Senator A. H. Stewart having been duly sworn, testified as follows :

At the beginning of the present session of the General Assembly a strong effort was made to pass this bill, to which I objected, but finally agreed to. The bill passed the House, and, being amended by me, passed the Senate as amended. Learning soon after that my people were apposed to the bill, I had entered a motion to reconsider, but learned that the bill had been reported back to the House. I was then appointed a committee to withdraw the bill from the House. On application it was objected to in the House, and I failed to get it. After the bill had gone to the Governor, I requested the member from Floyd (Mr. J. W. Langley) to have committee appointed in the House to withdraw the bill from the Governor, and that I would do the same in the Senate. He so agreed, and afterwards he so reported to the Senate, and I was appointed by the Speaker of the Senate to act with him in withdrawing the bill from the Governor. We then went to the Governor and withdrew the bill, which was delivered to me. Something was said about the House Journal not showing the proper number of the bill. I then stated to Mr. Langley that I would not report the bill until the Journal was corrected, which he agreed to have done that day. I carried the bill to my private room and locked it up in the bureau drawer. Mr. Langley did not have the bill corrected that day, and I kept insisting on his doing so. He said Mr. Myers had ruled that it must be done in regular motion hours, but that it should be done. I locked the bill up in my drawer. The next morning I found my drawer open and the bill gone. It was in the drawer when I locked it. Mr. Langley's room is across the hall, directly opposite mine. I went immediately to his room and woke him up, and asked him if he knew where the bill was. He said, I do not know anything about it. I then went to the Senate Clerk's office. On my return to Mr. Langley's room, about one and a half hours later, he said he had the bill; that he found my drawer open and took the bill to

get the number in order to state his question of personal privilege. He did not give the bill back to me. I asked the Assistant Senate Clerk what to do about.

Mr. Langley, on my demand for the bill, said no; he would keep the bill to get the number and title. I did not think he had any right to it, but wanted it myself. I did not direct its return to the Governor, nor did I know how it was done. I talked to Mr. Langley afterwards; do not remember the time. I left Frankfort that day, and when I returned on Tuesday after I learned the bill had been returned to the Governor. When I made my statement to the Senate I knew the bill had been stolen from my drawer, and knew who did it. On my return, Mr. Langley said the bill had been taken from his hands, and was then before the Governor; that he did not know how it was done. I went to the Governor, and he said he would send in a communication in regard to it. I heard a Mr. Mayo speak as though he knew how it was done. Mr. Langley had bill either in or under his trunk. I saw a bogus bill which was left in place; seemed to be on same kind of enrolling paper, and signed by both Speakers. I think that copy is now in the hands of the Governor. Mr. Langley and Mr. May, who room together, told me the bill was put in Mr. May's trunk. My only object in holding the bill was to wait until the House Journal was corrected. I was afraid the bill would be stopped by the House's action, and returned to the Governor direct. Messrs. Mayo, and F. T. D. Wallace were interested for the passage of the bill. Mr. Harvey Myers' law firm is representing the road, in its favor. I was opposed to it. I also understood Mr. Langley to be at that time. Mr. Frick, who represents the C. C. & C. Road, was opposing it. It was after Mr. Langley received protests from his people that he claimed to be opposed to the bill.

Green R. Keller being sworn, testified:

Am Clerk House Representatives. The certificate given was signed by me on the application of Speaker Myers, who wrote same. We do not enter motions unless stated by Speaker. I did not hear any motion in this case. I know the Speaker's signature. The one shown on what seems a false bill is his.

The two bills shown me are enrolled in same hand. The certificate given by me was given on its date by request of Mr. Myers. I had no idea what it was for, and know nothing of how bill was returned to Governor.

Mr. D. H. Smith being sworn, testified :

The signature on the duplicate bill shown, seems to be, and to the best of my impression, is mine. I have no recollection of signing same. One morning last week Mr. Mize, the Enrolling Clerk of the House, came to my room and roused me up at about 8 or 8½ o'clock A. M., to sign a bill. I did so, but do not know what it was. I have frequently signed bills at my room. Never one alone before. I think it was the latter part of last week—Thursday, Friday or Saturday. I know nothing about the course of the bill. I did not know the duplicate bill had been signed by me until this evening. The Presiding Officer never makes a note of bills signed by him. The bill was presented and signed by me without any knowledge or reason to believe that it had been duplicated.

Mr. Frick being sworn, testified :

Am an employe of the C., C. & C. R. R. Co., and represent the same here. I know of the passage of the bill referred to. I saw Senator Stewart withdraw it from the Governor, and saw Stewart lock it up in his drawer. He missed it on Saturday morning, and went immediately to hunt the bill. Mr. Langley said he found Stewart's drawer open, and took the bill to use in his explanation. To make it safe, he had Mr. May to lock it up in his trunk. I afterwards, on Sunday night, found the Governor had the bill, and I went to Mr. May at once and asked him if he had the bill, and he was positive that he had it, but on looking found the duplicate in place of the original. I carried the duplicate to the Governor. He said he did not know through what channel the bill got to him. Mr. May did not make any statement to me as to how he came into possession of the duplicate. I am satisfied he thought he had the original bill.

In the consultation at the beginning of the session, F. T. D. Wallace, G. W. Castle, H. E. Huntington, H. G. Northup, Mr.

Lockett and Whittaker were present with the Representatives, Langley and others. After the bill had been abstracted from Langley's room, Messrs. Langley and Fitzpatrick met me and May on street, and when I notified him of the loss of the bill, he said the one now shown was surely the bill, and not a duplicate; that when he got it from Stewart's room he did not notice whether the Governor's stamp was on it or not; that when he brought it from Stewart's room he put it in bottom of trunk, or bottom tray of trunk; was present in House when Mr. Langley made motion to withdraw from Governor. Mr. Croan was speaking. Some one interrupted him, and asked the appointment of a committee to withdraw a bill from the hands of the Governor. Mr. Langley then arose, and asked the appointment of a committee to withdraw bill, and gave number, but I do not know what it was. The Speaker appointed Mr. Langley such committee. I asked Langley if it was for the Ohio and Big Sandy Railroad. He said that it was. The Speaker told me he had no feeling in the matter. Two days after, when I heard of the irregularity in appointing the committee, I asked the Speaker, Mr. Myers, about it. He said that when Mr. Langley asked the appointment of a committee there was a great deal of confusion in the House, and that the Clerk failed to get the number of the bill, and asked him what it was. He told him to get the number from Mr. Langley after the session was over; that Mr. Langley left the House early, and that the Clerk did not get to see him, and made no record of the motion. Mr. Langley told me that Mr. Myers said the Journal could be corrected, and that he was sure it could be done. Mr. Myers told me it could not be done, and I tried to convince him differently.

Hon. Harvey Myers being sworn, testified :

Had been trying all winter to get bill through. My firm are attorneys for the Kentucky Central or Huntington system. Stewart and Langley agreed on the bill with me. Agreement one afternoon and passed the bill. It was amended slightly and passed the Senate. I do not recollect the date. It was carried to the Enrolling Clerk to enroll, and taken to the Governor at once so as to get bill signed by Governor. I found the Governor

had been requested by Frick not to sign, which he did not. I asked the Governor how soon he could sign it. He said not for a few days. The constituents of the Representatives objected to the bill. Mr. Croan was on the floor. Mr. Langley did not give the title of the bill. It was taken from the Governor's hands. The Journal did not show the appointment of a committee. I did not then, nor do I now, believe the Journal could be corrected. It was reported to me that Senator Stewart said he did not know whether to return the bill to the Governor or Senate; that he had the bill and would keep it, and I concluded if that kind of business was going on I could perhaps meet the emergency. So I went to the Enrolling Clerk to make me another copy to carry to the House to offer with a resolution, showing the bill had passed to certify to the Governor. This I told the Governor afterwards, but did not wish Mr. Frick to know before. In the morning the Enrolling Clerk brought me the copy, which I signed myself. I was met in the rotunda by a gentleman, who stated to me that he had the original bill, and presented it to me, and, of course, I was very glad to get it. I abandoned the idea of presenting the new enrolled bill, there being now no necessity to do so. I handed it to the gentleman, and I at once took the original bill in person to the Governor, and requested him to sign it at once, with Clerk's certificate. He asked me how I got the bill. I told him a gentlemen had given it to me, and that if he was not satisfied, or feared it had been changed, I would get the Enrolling Clerk to bring the original and compare. He examined the bill and found no changes, but said that he would hold the bill and consult the Attorney-General; that his Journal showed the bill withdrawn from him. During all these several days I was not occupying the Chair, but exercising my rights on the floor as a member. The Governor said he wanted to do right with all parties, and finally signed the bill. When the original bill was given me in the rotunda I was utterly surprised, and not expecting ever to see it again. The last I knew of the duplicate was when I gave it to the gentleman. I thought the bill referred to by Mr. Langley to withdraw from the Governor was this bill, although we had agreed not to that day. I may have announced the appointment of a committee. I decline to give the name of the gentleman without his consent, but will see him and return.

W. O. Mize being sworn, testified :

I had enrolled, at Mr. Myers' request, duplicate bill shown, and had Mr. Smith to sign same in his room at Capital Hotel. I delivered it to Speaker Myers, who had me to get Mr. Smith to sign same. I first carried it to Mr. Myers, who signed it. I then carried it across the hall to Mr. Smith's room, who signed it, and I at once crossed to Mr. Myers' room and gave the bill to him. I did not state to Mr. Smith that it was a duplicate.

Mr. Clarence Egbert being sworn, testified as follows :

I made the copy of the bill at the instance of the Enrolling Clerk, and delivered same to him. I had already enrolled it originally. The original bill was given me on Thursday night, May 16th. I made the copy on Friday night. The first enrollment was made by me on either the day before or after Senator Beck's funeral. I delivered the last copy on Saturday before 7 o'clock A. M.

Mr. Robt. May being sworn, testified :

I do not know anything about the bill's withdrawal. Mr. Langley had no lock on his trunk and handed me a bill to put in my trunk, which I did. I did not examine the bill, nor would I know it. Mr. Frick came to my room and wanted to see the bill. I showed it to him. He said, after looking at it, that it was a copy. Mr. Langley did not explain about the bill to me; only asked me to put it in my trunk for safe-keeping for him. I gave up the bill to Mr. Frick without consulting Mr. Langley. When Mr. Frick came to me he said, the bill is before the Governor. I denied it and said, "it is in my trunk." He denied it, and I got the bill out, and it proved to be the copy. I had no interest in the bill. Have heard Mr. Langley speak of the bill, but not of any crookedness about it. From conversations in my room I thought it was the Big Sandy bill. I was present in the House, and think I heard Mr. Langley make the motion for the appointment of a committee to withdraw the bill from the Governor. I do not know whether the Speaker appointed a committee or not. I heard that Mr. Langley was going to make such a motion, and I think he was appointed such committee. I do not know where Langley

got the bill before giving it to me. I said to Mr. Frick that I thought Mr. Langley gave the original bill to me. I went with Mr. Frick to the telegraph office after finding the copy in my trunk, but found the office closed. I do not remember where I met Mr. Langley, but he expressed surprise when I informed him about the bill not being the original. I want to state that I have no interest in the matter whatever, am no boomer, and have nothing to do with any thing of the kind.

Mr. J. W. Langley being sworn, testified as follows :

The first suggestion as to the charter for the railroad was by Bennett Young and others, three months ago. We consulted about it; that is, the mountain members. Stewart and I did not agree to it. Afterwards Messrs. Northup, Huntington and Wallace proposed a competitive charter; that other roads wanted the charter, and would leave it to the people to say which one. Stewart and I both wrote home in regard to the matter. Nothing was then done for three or four weeks. Stewart then asked me why I did not have the bill passed. I thought most of the people were opposed to it. About three weeks ago Mr. Mayo came down. Mr. May and I had agreed to a redistricting bill for our counties, which had passed the House, and stopped in the Senate. Mr. Mayo came down to oppose same. He (Mayo) said if I would agree to pass the railroad bill, he would not object to the redistricting bill. In that way the redistricting bill passed, as agreed by Stewart, Pieratt, Myers and myself. I had quite a large petition in favor of the railroad bill, and county newspaper favoring it. The people heard of the passage of the bill, misrepresented no doubt to them. Senator Stewart and I then agreed it was best not to pass the bill. While I was in the Senate chamber Speaker Myers moved in the House the concurrence with Senate amendment, which was done, and bill enrolled, and carried to the Governor. I then told Mr. Myers that on account of the objections of my people I must ask its withdrawal from the Governor. He requested me to delay one day to hear from Mr. Huntington, and he would not oppose the motion. I did so. Afterwards, when Mr. Croan had the floor, I asked the appointment of a committee to withdraw bill, giving the num-

125—s.

ber from memory. The Clerk asked me, and I then gave him the title. Under the agreement I was not to ask the appointment of a Senate committee until the next morning. Mr. Myers had recognized me, and appointed me committee to withdraw. Next morning I started to the Senate, and said to Mr. Myers, I am going now to ask the appointment of a committee from the Senate to withdraw bill. He said there was no notice of my appointment on House Journal. I so notified Stewart; also asked Mulligan about it, who said: Go ahead, and have Senate Committee appointed. I then asked for it, and Senator Stewart was appointed. We then withdrew the bill from the Governor, Stewart taking possession of the bill, and carried it to his room. We consulted about reporting it. I thought it best to report first to the House. Stewart said before they should have it again he would take the bill and leave the State. I also consulted Mr. Frick about it. He thought the Journal should be corrected. I went to Stewart's room to see him. He had put the bill in his bureau drawer. I wanted it to get the real number and title. The drawer was open, and I got the bill out, made my memorandum, and put the bill in my trunk. About 7 o'clock next morning Stewart awoke me and said: Some one has taken that bill. I said, I have it, and he said, be careful with it. I told Mr. Myers also that I had it. Mr. Myers said I had better return it to the Senate, as I had virtually made a misstatement to the Senate and Governor. Wallace said the same. I made no concealment of the fact that I had the bill. Myers said the evening I withdrew the bill that he would get copy and have certified.

Two or three days after I was going to Lexington and met Governor Buckner, when he said the bill was not properly before him, and he had better return it. On Friday morning Mr. Wallace insisted on my returning the bill to the Governor, and I thought best to have it locked up. So I got the bill and May locked it up in his trunk. At night Frick and May told me the bill was gone and copy in its stead. When I put it in my trunk I think it was the original. I got it from Senator Stewart's drawer. I think the same bill I gave May. I do not know who gave the bill to Mr. Myers. I told Mr. Myers and Mr. Wallace where I had the bill. The drawer of the bureau, when

I went to get the bill, was partly open. Mr. May and I went together to Senator Stewart and told him we had locked up this bill in Mr. May's trunk. Mr. Mayo may have been in the room when I put the bill under my trunk. He stayed in my room all night, and was in the bed when Stewart said I had better take care of the bill. I was opposed to the bill at that time. I thought, however, it was a properly guarded bill, and my people would be for it when explained, and I thought of withdrawing objections. When Mr. Mayo first came I had not heard from my people. I told Mr. Wallace where the bill was hid. I never thought or felt that they would take the bill. I had the bill locked up more in deference to Stewart's wishes. Mr. Mayo came to my room frequently at that time. Mr. Vanhose also occupied the room and favored the bill. I made two or three attempts to get the Journal corrected. Mr. Mayo and I have been intimate for three or four years.

Mr. May said :

After hearing Mr. Langley, I remember distinctly that Mr. Langley made the motion and the Clerk failed to enter it.

Mr. Myers continuing his evidence, said :

The gentleman who gave me the bill was Mr. F. T. D. Wallace. Mr. Huntington is a personal friend of mine, and asked me to assist in securing the passage of the bill. Mr. Wallace has talked to me several times about the matter. I did not ask him where he got the original bill. We did talk of getting up a duplicate bill. Wallace knew I was getting duplicate made to offer in House. When I told Mr. Langley he ought to return the bill to the Governor, then was developed the fact that Stewart would not give it up. I do not think Mr. Langley told me he had the bill ; some one else did. Langley's great object was to secure the passage of the bill. I did not ask Mr. Wallace where he got the bill. I had no desire to know. I felt that if I had found the bill with Executive stamp, I would have carried it to the Governor—much more this bill—being interested. I did not believe Mr. Stewart had any right to retain the bill. Mr. Wallace gave me the bill the same day the Governor sent in his message. I carried it to him the same day I received it.

Mr. J. C. C. Mayo being sworn, testified as follows:

I have no connection with railroad corporations, but have been here several times at my own expense to secure legislation for railroads to develop the Big Sandy Valley, in which I have landed interests. This is the sole cause of my interest in this matter, which has been discussed between Senator Stewart, Mr. Langley and myself for ten or twelve weeks.

The agreement several weeks ago and understanding with Mr. Langley was, that the above bill should be passed, Mr. Stewart agreeing to pass through the Senate any bill passed through the House. The bill was passed through the House, sent to the Senate, amended and passed. On learning that the bill, after going to the Governor had been withdrawn from him, I came back to inquire how this happened. Mr. Langley informed me the pressure from Johnson county was so great he was compelled to show some signs of opposition. He had, therefore, withdrawn it from the Governor. I could not understand Mr. Langley's action after the agreement, and I said such double dealing demanded explanation. I said other things in the same conversation, which had, doubtless, better not be put down. I told him he could not afford to go back on our enterprises in the Big Sandy Valley; that there was a good deal at stake in this and other legislation we had agreed on. He said: Keep cool, or keep still; the matter would be satisfactorily arranged for me. I told him I did not know how it could be so arranged now, with the bill withdrawn from the Governor, and did not receive much satisfaction from the promise. He remarked: "The bill being withdrawn from the Governor did not amount to much; that could be easily arranged, and that it would be." I understood it, that the bill was to be gotten and given to Speaker Myers.

Mr. F. T. D. Wallace brought to me a bundle rolled up in a paper on Saturday of last week, and told me to go to Mr. Langley's room, look under the end of Mr. Langley's trunk, and there I would find the Ohio and Big Sandy Railroad bill; to place in its stead the copy which he had in the paper (the one I now see before me, I think), and bring the original bill to him. I asked him if it was all right to do that. He said it was understood all around and all right. I then gave him the

original, and left the copy where I got the original. Wallace returned the original to me about half an hour afterwards. After keeping it a short time, I went, in company with Mr. Harvey Myers, to the Secretary of State's office. On the way I gave the original bill to Mr. Myers. I remained in the Secretary's office, and he went into the Governor's office. My understanding from Wallace or Langley was that the copy was made to put in the place of the original to fool Senator Stewart. Mr. Langley said to me that the original bill would be returned to the Governor. I did not know that I would change the bills until required to do a little errand for the boys. It was my impression that Mr. Myer's knew as much about the matter as any of us. I am not certain whether I ever mentioned it to Mr. Myers or not. The first information I had to the copy being made was Saturday. Langley and I talked about having changed the original bill for the copy within an hour after it was done. He said that is all right; be cautious what you say. Mr. Langley and I are interested in some affairs together. I lifted up the trunk, pushed the original out, and put the copy in its place, and wrapped up the copy in the same newspaper that I had the original in. I think Mr. Langley, Wallace and I talked about how we would get the bill up. Langley said it would be all right, and the Governor would sign it. Mr. May told me he had the bill in his trunk, but I knew better. It was said to me by either Wallace or Langley that Senator Stewart had the bill, but had no right to have it there, and they could arrange that. I think it was in the State House that Wallace gave me the copy. I went direct and changed them, and returned with the original an hour after. Mr. Langley and I were talking, and he knew all about it. Mr. Langley tried to get me to swear I would never tell about it, but I said I will never tell unless I have to. I was in the bed with Mr. Langley last Saturday morning when Stuart came into the room and asked Langley about a bill. I do not know what Langley replied. No one ever said anything about Stewart being concerned. All said he had to be watched. Mr. Myers, Wallace and I talked of this bill often how to get it signed. I did not talk much with Mr. Myers, as I knew he would do his duty or right. When I took the bill I knew I was not stealing it. I was helping to carry out programme, and Langley knew it.

Mr. Frick being re-examined, stated :

Senator Stewart stated to me that he would hold the bill until the Journal was corrected, as he was apprehensive that the bill might be stolen. He told me Saturday that the bill was in May's trunk, and he wanted me to see that no one got it from him. Mr. Langley promised time and again to have Journal corrected. Senator Stewart asked him time and again to arise to a question of privilege. I never heard Stewart say he would leave the State with the bill. He said he was going to have an investigation as to the appointment of House committee. Mr. Langley was present at these conversations.

Senator Stewart returned and testified :

When I returned from seeing my people, who had petitioned against the bill, I said to Mr. Myers that on account of the opposition by them to the road, that justice to them, to me and to the road required the bill to be withdrawn from the Governor. He said he did not want to do anything against the wishes of the people, and after telegraphing the situation to Mr. Huntington he would not offer any objections to the appointment of a committee to withdraw bill. I said that I was afraid there would be some trick about the matter in the House, and that I intended to keep the bill until it was arranged. I did use some strong statements about keeping the bill, but always or nearly always on condition until the Journal was corrected, as I believed it was the purpose to fail to have the Journal corrected, so that the bill might go back to the Governor. I may have used some strong expression about keeping the bill in brief conversations without qualifying it with the condition that the Journal be corrected, but never said I would leave the State on any condition to my recollection.

Mr. J. W. Langley added the statement below to his evidence :

When I made the motion to withdraw the bill one of the Clerks—I think Mr. Green Keller—asked me the number of the bill. I told him, and also stated that it was the Ohio and Big Sandy Railroad bill. He went across and looked at book, and said yes that is correct, and the Clerk who keeps the pencil minutes seemed to be putting it down. In my first evidence I answered that I was not responsible for the bill's return to the

Governor. After the evidence it seems that I was, partially. After the bill was withdrawn from the Governor Mr. Myers and I had a talk about it. I told him what Senator Stewart said. He said he would have a resolution passed in the House to return a copy of the bill to the Governor; that he thought a copy would do. I told him I would have to fight it. Mr. Myers went to see the Governor and told him the Journal was not correct. The Governor sent his Private Secretary to get the bill from Stewart; said that was all he could do. After Mr. Pieratt, Mr. Mayo, May and myself agreed to pass this bill if redistricting bill passed. This was the sole and only consideration to me, the redistricting bill being mine and Mr. May's. After the bill was withdrawn Myers said he would have my bill repealed. Understanding that Myers would present to the Governor a copy of the bill, I thought best to let it go on, so as not to interfere with the redistricting bill. I think the dummy bill was to deceive me, if any one. Mr. Myers and Wallace had both urged me to return bill to the Governor. I refused, saying that it would show that I had no authority to withdraw it, which I believed I had.

Mr. Jno. C. C. Mayo makes the following additional statement:

In addition to what I said yesterday before your committee, I wish to add that Speaker Myers continually held, before the return to the Governor of the bill in question, that the same had not been properly withdrawn from his hands, and was in the attitude of a stolen bill until returned.

After reading his evidence as written, at 9 o'clock P. M. on Sunday, Hon. Harvey Myers asked time of the committee until 12 o'clock to prepare a statement in addition to same, to which the committee agreed, and at 2 o'clock A. M., on Monday, he forwarded to the committee the following communication, which he requested the committee to attach or make part of the proceedings, viz:

FRANKFORT, KY., May —, 1890.

Hon. B. F. BRADLEY, Chairman, and Gentlemen of the Committee:

Upon careful examination of what purports to be a report of my testimony before your committee, I find it so inaccurate

in many particulars that it does not, in a proper sense, fully or correctly reproduce my testimony. Many statements made by me explanatory of the facts reported have been inadvertently omitted, and certain words and expressions are used which, while intended to convey the same meaning as conveyed by me, so fail to express my testimony or convey my meaning, that I desire to enter a disclaimer of it as being a true or faithful report of the matter concerning which I have testified.

Respectfully,

HARVEY MYERS.

To which the committee returned the following :

FRANKFORT, MAY 26, 1890, 9 A. M..

Hon. HARVEY MYERS :

SIR—Yours dated May, 1890, received about 2 o'clock A., M., May 26th. We take it to be your response to the agreement you had with the committee about 10 o'clock P. M., May 25th, that you would take the original copy of your testimony, make such amendments thereto as you wished to, and report to the committee by 12 o'clock.

It was expected and desired by the committee that you would make any statement that you thought necessary to a full understanding of your position. We had no idea but that so far as stated it was correct, as it had been read to you at the time it was given, and pronounced by you substantially correct.

The committee will be obliged for the return of the original copy of your testimony, which they expected to receive with your communication.

Very respectfully,

BEN F. BRADLEY,
JOHN R. KEMP,
W. H. ANDERSON.

Not being able to secure the testimony of F. T. D. Wallace, we append a written statement by him to the Governor, who, on our request, delivered the same into the hands of the committee.

On Wednesday or Thursday of last week, I understood from Mr. Langley that the bill authorizing the counties of Johnson,

Floyd and Pike to subscribe to the capital stock of the Ohio and Big Sandy Railroad was withdrawn from the Governor by a request from himself and Senator Stewart, and I then made inquiry as to their right to withdraw it, and found that there was no record evidence on the Journal of the House authorizing the withdrawal of said bill, and afterwards Mr. Langley told me where the original bill was, and that I could go and get it, and leave a copy that we had had made of the same bill. I got the copy and it to J. C. C. Mayo, and told him to go and get the original bill that was withdrawn from the Governor, and afterwards on the same day Mayo brought the original bill to me, and I sent it to the Governor. After the bill was withdrawn from the Governor there was no motion made as far as I could find to reconsider or in any other way dispose of the bill in either House.

MAY 20, 1890.

F. T. D. WALLACE.

The above communication was handed to me by the writer immediately after it was written, and is transmitted, at their request, to the Senate Investigating Committee.

S. B. BUCKNER.

Attest:

BEN F. BRADLEY.

JOHN R. KEMP.

W. H. ANDERSON.

A message was received from the House of Representatives, announcing that they had completed the business of that body and were now ready to adjourn.

The hour of 12 o'clock M. having arrived, Mr. Speaker Bryan, after delivering an appropriate address in pursuance of the resolution heretofore adopted, declared the Senate adjourned without day.

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